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Agenda item 31

Cooperation between the United Nations and the Organization of
African Unity

Letter dated 17 November 1999 from the Permanent Representative of Algeria to the United Nations addressed to the Secretary-General

I have the honour to request that you arrange for the distribution as a document of the General Assembly, under agenda item 31, the Sirte Declaration adopted by the Assembly of Heads of State of the Organization of African Unity at its fourth extraordinary session, held at Sirte, Libyan Arab Jamahiriya, on 8 and 9 September 1999 (see annex).^{*}

(Signed) Abdallah Baali
Ambassador
Permanent Representative
Chairman of the Group of African States
for the month of November 1999

^{*} The annex is available only in the languages in which it was submitted (Arabic, English and French).



Annex

[Original: Arabic, English and French]

Declaration adopted by the Assembly of Heads of State and Government at its fourth extraordinary session held at Sirte, Libyan Arab Jamahiriya, on 8 and 9 September 1999

SIRTE DECLARATION

1. We, the Heads of State and Government of the Organization of African Unity (OAU), met at the fourth Extraordinary Session of our Assembly in Sirte, in the Great Socialist People's Libyan Arab Jamahiriya, from 8 to 9 September 1999, at the invitation of the Leader of the Al Fatah Revolution, Colonel Muammar Ghaddafi, and as agreed upon during the Thirty-fifth Ordinary Session of our Summit in Algiers, Algeria, from 12 to 14 July 1999.
2. We deliberated extensively on the ways and means of strengthening our continental Organization to make it more effective so as to keep pace with the political, economic and social developments taking place within and outside our continent.
3. In this endeavour, we were inspired by the ideals which guided the Founding Fathers of our Organization and generations of Pan-Africanists in their resolve to forge unity, solidarity and cohesion, as well as cooperation, between African peoples and among African States.

4. We recall the heroic struggles waged by our peoples and our countries during the last century of this millennium for political independence, human dignity and economic emancipation. We take pride in the achievements made to promote and consolidate African unity and we salute the heroism and the sacrifices of our peoples, particularly during the liberation struggles.

5. As we prepare to enter the twenty-first century, and cognizant of the challenges that will confront our continent and peoples, we emphasize the imperative need and a high sense of urgency to rekindle the aspirations of our peoples for stronger unity, solidarity and cohesion in a larger community of peoples transcending cultural, ideological, ethnic and national differences.

6. In order to cope with these challenges and to effectively address the new social, political and economic realities in Africa and in the world, we are determined to fulfill our peoples' aspirations for greater unity in conformity with the objectives of the OAU Charter and the Treaty Establishing the African Economic Community (the Abuja Treaty). It is also our conviction that our continental Organization needs to be revitalized in order to be able to play a more active role and continue to be relevant to the needs of our peoples and responsive to the demands of the

prevailing circumstances. We are also determined to eliminate the scourge of conflicts which constitutes a major impediment to the implementation of our development and integration agenda.

7. In our deliberations, we have been inspired by the important proposals submitted by Colonel Muammar Ghaddafi, Leader of the Great Al Fatah Libyan Revolution, and particularly, by his vision for a strong and united Africa, capable of meeting global challenges and shouldering its responsibility to harness the human and natural resources of the continent in order to improve the living conditions of its peoples.

8. Having discussed frankly and extensively on how to proceed with the strengthening of the unity of our continent and its peoples, in the light of those proposals, and bearing in mind the current situation on the continent, we DECIDE TO:

- (i) Establish an African Union, in conformity with the ultimate objectives of the Charter of our continental Organization and the provisions of the Treaty Establishing the African Economic Community.

(ii) Accelerate the process of implementing the Treaty Establishing the African Economic Community, in particular:

(a) Shorten the implementation periods of the Abuja Treaty,

(b) Ensure the speedy establishment of all the institutions provided for in the Abuja Treaty, such as the African Central Bank, the African Monetary Union, the African Court of Justice and, in particular, the Pan-African Parliament. We aim to establish that Parliament by the year 2000, to provide a common platform for our peoples and their grass-root organizations to be more involved in discussions and decision-making on the problems and challenges facing our continent.

(c) Strengthening and consolidating the Regional Economic Communities as the pillars for achieving the objectives of the African Economic Community and realizing the envisaged Union.

- (iii) Mandate the Council of Ministers to take the necessary measures to ensure the implementation of the above decisions and, in particular, to prepare the constitutive legal text of the Union, taking into account the Charter of the OAU and the Treaty Establishing the African Economic Community. Member States should encourage the participation of Parliamentarians in that process. The Council should submit its report to the Thirty-sixth Ordinary Session of our Assembly for appropriate action. Member States should work towards finalizing the process of ratification, where appropriate, by December 2000, in order for a constitutive Act to be solemnly adopted in the year 2001, at an Extra-Ordinary Summit, to be convened in Sirte.
- (iv) Mandate our Current Chairman, President Abdelaziz Bouteflika of Algeria, and President Thabo Mbeki of South Africa, to engage African creditors on our behalf on the issue of Africa's external indebtedness, with a view to securing the total cancellation of Africa's debt, as a matter of urgency. They are to coordinate their

efforts with the OAU Contact Group on Africa's External Debt.

- (v) Convene an African Ministerial Conference on Security, Stability, Development and Cooperation, in the Continent, as soon as possible.
- (vi) Request the Secretary General of our Organization, as a matter of priority, to take all appropriate measures to follow up the implementation of these decisions.

**Done at Sirte,
Great Socialist People's Libyan Arab Jamahiriya,
September 9, 1999 (9.9.99)**

**General Assembly**

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Fifty-fourth session

Agenda item 166

**Financing of the United Nations Interim Administration Mission
in Kosovo****Financing of the United Nations Interim Administration
Mission in Kosovo****Report of the Advisory Committee on Administrative and
Budgetary Questions**

1. The Advisory Committee on Administrative and Budgetary Questions has considered the report of the Secretary-General on the financing of the United Nations Interim Administration Mission in Kosovo (UNMIK) for the period from 10 June 1999 to 30 June 2000 (A/54/494). During its consideration of the report, the Committee met with representatives of the Secretary-General who provided it with additional information and clarification. The Committee had to work on the basis of an advance text in English only. The Committee points out that the final printed version of the document has been changed in a number of substantive areas compared with the advance text.
2. The proposed budget of UNMIK for the period from its inception on 10 June 1999 to 30 June 2000 provides for a total strength of 9,812 personnel, including 38 military liaison officers, 4,718 civilian police, 1,269 international staff, 3,566 local staff, 18 National Officers and 203 United Nations Volunteers, and amounts to \$456,451,200 gross, inclusive of the commitment authority of \$200 million already authorized by the General Assembly in its resolution 53/241 of 28 July 1999. The proposed budget of UNMIK also includes budgeted voluntary contributions in kind estimated at \$585,500.
3. The United Nations Interim Administration Mission in Kosovo was established by the Security Council in its resolution 1244 (1999) of 10 June 1999 for an initial period of 12 months, to continue thereafter unless the Security Council decides otherwise. The General Assembly, in its resolution 53/241, authorized the Secretary-General to enter into commitments in an amount not exceeding \$200 million for the operation of the Mission. By the same resolution, the Assembly decided to apportion an amount of \$125 million among Member States.



4. The Advisory Committee was informed that of the total assessment of \$125 million, \$43.3 million had been received as at 15 October 1999, leaving an outstanding balance of contributions of \$81.7 million. The updated financial situation of UNMIK is as follows:

- (a) Cash position (as at 18 October 1999), \$28.6 million;
- (b) Expenditures (as at 22 October 1999, reflecting field expenditures as at 30 September 1999), \$66.9 million;
- (c) Current loan from the peacekeeping reserve fund, \$7.45 million.

5. As can be seen from the report of the Secretary-General, of the total proposed budget of the Mission, some 52 per cent of resources relate to civilian personnel costs and 43 per cent relate to operational costs. Staff assessment comprises 4 per cent of the total, and military personnel costs comprise 1 per cent. The Advisory Committee points out that unless the collection of contributions improves, the Mission will face a very seriously debilitating cash-flow problem that might damage its ability to fulfil its mandate.

6. A preliminary concept of operation for UNMIK, as well as a framework for the United Nations-led international civil operation in Kosovo based on the assessment conducted by the advance team of UNMIK, were set out in the reports of the Secretary-General to the Security Council of 12 June (S/1999/672) and 12 July 1999 (S/1999/779). The Secretary-General also reported on the implementation of Council resolution 1244 (1999) and covered developments in Kosovo that had occurred since his report of 12 July (S/1999/987 and Add.1).

7. The Advisory Committee points out that the size, scope, structure and mandate of UNMIK are unique in the United Nations. UNMIK is headed by the Special Representative of the Secretary-General, who is the highest international civilian official in Kosovo. The Special Representative is assisted by a Principal Deputy Special Representative in directing and managing UNMIK. As indicated in the financing report (A/54/494, para. 8), the Principal Deputy Special Representative will also ensure a coordinated and integrated approach by the Mission's four components ("pillars"), namely, Civil Administration (led by the United Nations), Humanitarian Affairs (led by the Office of the United Nations High Commissioner for Refugees), Institution-building (led by the Organization for Security and Cooperation in Europe) and Reconstruction (led by the European Union); each of the four components is headed by a Deputy Special Representative.

8. In his report to the Security Council dated 12 July 1999, the Secretary-General indicated that the Deputy Special Representatives would report directly to the Special Representative on the implementation of their tasks and would also be responsible for ensuring the effective coordination of all activities, both of UNMIK and its partners, within their areas of designated responsibility (S/1999/779, para. 46). According to the Secretary-General, the main instrument through which the Special Representative ensures the implementation of the Mission's objectives is the Executive Committee, whose membership includes the Special Representative, the Principal Deputy Special Representative and the four Deputy Special Representatives.

9. The Executive Committee is assisted by a Joint Planning Group, which is chaired by the Principal Deputy Special Representative and is composed of senior planning staff from each lead organization. As indicated in the report on the financing of UNMIK, the main tasks of the Joint Planning Group are to ensure consistency of plans between the components, in particular links between emergency relief and longer-term reconstruction activities, as well as between interim civil administration and institution-building. A senior representative of the Kosovo Force (KFOR) works with the Joint Planning Group on military-civilian

issues, and representatives of other agencies are invited to participate when necessary (A/54/494, para. 10).

10. The Advisory Committee is of the view that both the Executive Committee and the Joint Planning Group have the potential to be an effective arrangement for the elimination of waste and duplication and the promotion of coordination through, for example, establishing joint and common services wherever applicable and feasible. It is not clear, however, how effective these two bodies currently are and how the coordination mechanism works. The Committee requests that these issues be clarified in the next report on the financing of UNMIK. Furthermore, the Committee points out that for the coordinating roles of the Executive Committee and the Joint Planning Group to be effective, their decisions and recommendations must be respected by all parties concerned.

11. The Advisory Committee notes from the report (A/54/494) that the work of UNMIK will be conducted in five integrated phases (see para. 11), while the reconstruction activities, led by the European Union, will occur in three overlapping phases (see para. 16). The report does not, however, provide clear and sufficient information on the roles of the various major participants in UNMIK, on their relationship with the United Nations and on the interaction among the four components of the Mission.

12. No information is provided on the resources and personnel available for the components of UNMIK implemented by the Office of the United Nations High Commissioner for Refugees (UNHCR) (pillar II), the Organization for Security and Cooperation in Europe (OSCE) (pillar III) and the European Union (pillar IV). The Advisory Committee also notes that there is no clear definition of the roles of the agencies participating in the Humanitarian Affairs component of UNMIK (pillar II). The Committee is of the opinion that the role of the agencies should be defined as a matter of priority, given the needs in the field and the unique nature of the operation.

13. At the same time the Advisory Committee is of the view that the Secretariat should conclude agreements with the specialized agencies of the United Nations to identify their respective responsibilities and to define their roles in the implementation of technical cooperation activities (see also para. 39 below).

14. Furthermore, the Advisory Committee points out that the state of preparedness, deployment in the mission area and capacity of all the four pillars would necessarily affect the progress of the implementation of the UNMIK mandate. The Committee trusts that all the parties concerned, and in particular those in charge of pillars III and IV, would strive to establish adequate capacity in Kosovo so as to facilitate speedy progress in the rehabilitation of the province.

15. The proposed budget for UNMIK provides for the establishment of a total of 9,774 civilian personnel, including 4,718 civilian police, 702 Professional staff, 207 Field Service staff, 318 General Service staff, 42 security staff, 3,566 local staff, 18 National Officers and 203 United Nations Volunteers for a total estimated requirement of \$225 million. The Advisory Committee is of the view that considering past experience in starting up large missions, such as the United Nations Protection Force, and recent experience with the United Nations Mission in Bosnia and Herzegovina, it is unlikely that the full amount of the estimated requirements of \$225 million would be obligated and disbursed by 30 June 2000, especially with regard to the civilian police.

16. Excluding the civilian police, the total number of civilian personnel is 5,056 (see A/54/494, para. 23, table). This, however, does not include a considerable number of personnel hired or to be obtained using general temporary assistance funds and consultants, for which a provision of \$1,152,400 is requested. Broad functional allocation of personnel

positions is reflected in the report. The Advisory Committee was informed that of the total of 5,056 civilian personnel, 1,813 are language assistants, most of whom would be assigned to the police department (1,573) and to municipal administration (174).

17. The Advisory Committee was provided, upon enquiry, with the incumbency situation in the Mission as at 30 September 1999, which follows:

<i>Category of personnel^a</i>	<i>Posts proposed</i>	<i>Posts encumbered</i>	<i>Incumbency rate (percentage)</i>
Military liaison officers	38	35	92.1
Civilian police	4 718	1 668	35.3
International staff	1 269	468	36.9
Local staff	3 566	1 581	44.3
United Nations Volunteers	203	42	20.7
National Officers	18	-	-
Total	9 812	3 794	38.7

^a Gratis personnel are discussed in paragraph 39 and annex II below.

18. As can be seen from the table above, the average incumbency rate as at 30 September 1999 was 38.7 per cent for all categories of personnel; in other words, over 60 per cent of all posts remained vacant. The Advisory Committee was informed that actual deployment of international Professional and General Service staff and United Nations Volunteers was expected to reach the level of 750 personnel by 31 December 1999, 850 by 31 January 2000, 1,000 by 29 February and 1,472 by 31 March. The Committee notes that the cost estimates take into account vacancy rates of 35 per cent for international staff, 15 per cent for local staff and United Nations Volunteers and 5 per cent for National Officers (see A/54/494, annex I.C, para. 1).

19. Salaries for National Officers (see para. 40 below) and local staff reflect the scales currently applicable in the mission area (*ibid.*, para. 8). The Advisory Committee was informed, upon enquiry, that the local employers surveyed and retained for the comprehensive salary survey for Kosovo were the United States Agency for International Development (USAID), Save the Children, Mercy Corps International, Doctors of the World and the Cooperative for Relief Everywhere (CARE). The Committee was also informed in the course of deliberations that local staff employed under pillars III and IV received much higher remuneration than that of the United Nations. For example, the USAID local salary scale applicable to Kosovo is 40 per cent higher than that of UNMIK. The Committee is of the view that there is a need to start cooperation within the international community with a view to limiting sudden cost inflation in conditions of service of personnel and in other operational requirements whenever the United Nations is installed in a place of operation. Steps should be taken to prevent any adverse effects of cost inflation on both the local community and the foreign entities. Information on the foregoing should be provided to the General Assembly in future budget submissions. Moreover, the Committee notes that the comparators are now predominantly non-governmental organizations. The Committee is of the view that as the situation in Kosovo normalizes, the list of comparators should also include local employers.

20. The proposed staffing and grade structure of UNMIK is, in the view of the Advisory Committee, significantly inflated. The total number of posts requested for UNMIK in the category of Professional staff and above is 702, including 16 D-2, 34 D-1 and 76 P-5 posts. After reviewing and taking into account information contained in the report and provided orally, the Committee concluded that in several instances attempts have been made to try to meet every eventuality with a separate post, instead of planning to use staff more efficiently. The report does not contain a satisfactory explanation of or justification for the proposed grade structure. The Committee was informed that although the Office of Human Resources Management was not involved in reviewing the grades, the Department of Peacekeeping Operations used job classification standards set by the Office. The Committee was unable to ascertain how those standards have been applied by the Department of Peacekeeping Operations. The Committee considers that the Office of Human Resources Management should be more closely involved in the review, taking into account the structure and nature of the operation, especially at the levels of P-5 and above. The Committee notes that detailed generic job descriptions for key positions for peacekeeping missions are reflected in the Standard Ratios and Standard Cost Manual. The generic job descriptions, however, are not accompanied by generic grades. The Committee requests that the Department of Peacekeeping Operations and the Office of Human Resources Management look into this matter again and, on the basis of the experience gained so far in peacekeeping operations, determine whether or not it is feasible and practical to establish such generic grades.

21. The Advisory Committee is of the view that its recommendations with regard to the proposed cost estimates for UNMIK, which are set out below, should not prevent the Secretary-General from proposing, on the basis of actual experience in the Mission, further adjustments in the staffing structure of and resource estimates for UNMIK in future budget submissions. The recommendations of the Committee for reductions should therefore be regarded in that context and be subject to refinement on the basis of experience. Moreover, the Committee requests that the recommended reductions be implemented in such a way as not to hamper the ability of UNMIK to implement its mandate, especially with regard to language assistants.

22. Although the Advisory Committee recognizes the prerogative of the Special Representative of the Secretary-General to organize his immediate office in such a manner as he deems appropriate, it questions the utility of having assistants to senior advisers whose role is to monitor the schedule of each of the senior officials and more generally to monitor their immediate office. Moreover, in the view of the Committee, there appears to be an excessive number of requests for personal assistants and secretaries. Accordingly, the Committee is not convinced at this time of the need for one D-1, one P-4, one P-3 and one Local level post.

23. Similarly, the Advisory Committee is of the view that the number of posts requested for liaison functions in UNMIK is overestimated. At this time the Committee therefore recommends the deletion of one D-1 and one P-3 liaison officer post.

24. With regard to the proposed requirements of one D-2, one P-5, one P-4, one General Service (Other level) and three Local level posts for the Office of Gender Affairs, the Advisory Committee is of the view that the proposal for the establishment of one D-2 post and one Local level post is not warranted, and therefore the Committee recommends the provision of one P-5, one P-4, one General Service (Other level) and two Local level posts for this Office. The Committee also requests that efforts be made to better coordinate gender-related activities implemented under all four pillars of UNMIK. Information to this effect should be included in the next budget submission for UNMIK.

25. The Advisory Committee does not find adequate justification for the establishment of a D-2 post in the Office of the Legal Adviser. The Committee points to the central role that the United Nations Legal Counsel has in all legal matters of the United Nations, including peacekeeping operations. The Committee recalls, in this connection, its comments in paragraph III.14 of its first report on the proposed programme budget for the biennium 1998-1999¹ regarding the need to ensure that any legal advice given by officers carrying out legal functions in the Secretariat other than in the Office of Legal Affairs — including those serving in peacekeeping operations — is consistent with the practice of the United Nations Legal Counsel. The related functions of the D-2 post in the Office of the Legal Adviser should be reconfigured and assigned, in the view of the Committee, to one of the two D-1 posts of the Office. Moreover, the Committee is not recommending the establishment of one General Service and one Local level post.

26. The functions of staff in the Professional category and above of the Office of Political Affairs are, in the opinion of the Advisory Committee, unnecessarily fragmented and, as a consequence, the proposed staffing requirements of one D-2, one D-1, one P-5, three P-4, two P-3, three General Service (Other level) and four Local level posts are inflated. The Committee is of the view that the D-2 and D-1 posts in the Office should be classified at the D-1 and P-5 levels respectively. Moreover, the Committee is not convinced at this time of the need for a P-4 post.

27. The Advisory Committee is of the view that close programme coordination, where applicable and cost-effective, should be pursued by the United Nations and OSCE.

28. The Advisory Committee acknowledges the important role that public information would play in the implementation of the mandate of UNMIK. The proposed staffing requirements of the Office of the Spokesman and Public Information are estimated at 71 posts, including 31 posts in the Professional category and above (1 D-2, 1 D-1, 1 P-5, 11 P-4, 13 P-3 and 4 P-2), 8 General Service posts and 32 Local level posts. The report does not contain, however, any indication of the level of public information programme activities that could form the basis for the proposal. The Committee notes from the report of the Secretary-General to the Security Council (see S/1999/987, para. 35) that a new public broadcasting service, known as Radio-Television Kosovo, was being developed by the institution-building component, namely, under pillar III, led by OSCE. Moreover, in the proposed budget for UNMIK (A/54/494, para. 51), the Secretary-General provided information on the Mission's own broadcasting facilities in addition to those of existing and new radio stations serving the province. The Secretariat clarified, upon request, that the UNMIK radio station would not continue beyond the end of the Security Council mandate in Kosovo, while Radio-Television Kosovo, which is being developed by OSCE, would continue beyond the end of the UNMIK mandate.

29. The Advisory Committee requests that a review be undertaken of the most effective means by which UNMIK could implement its public information programmes. Such a review should consider a number of options, including using facilities now under development by OSCE. UNMIK can be responsible for its own public information products, but their dissemination need not necessarily require the establishment by UNMIK of its own broadcasting facilities. This approach should lead to the provision of common services in this area, and a lower expenditure might be required. Pending the results of the review, the Committee at this time recommends the following staffing structure for the Office: 1 D-1, 1 P-5, 10 P-4, 11 P-3, 4 P-2, 7 General Service (Other level) and 30 Local level.

30. The staffing requirements and organizational structure of the Civil Administration component of UNMIK are described in the report on financing of the Mission (A/54/494, paras. 58-94, and annex III.B). The staffing requirements include 478 posts in the

Professional category and above, 179 General Service (Other level) posts, 6 National Officer posts and 2,075 Local level posts. The Advisory Committee notes that in addition to 29 municipalities, the Mission has five regional offices. The Committee was informed, upon enquiry, that historically Kosovo was divided into seven districts; upon its deployment in Kosovo, KFOR divided the territory into five sectors, which are also used by UNMIK for its operations at the regional level.

31. The Advisory Committee notes that an equal number of posts is proposed for each of the five regional offices, and each office will be headed at the D-2 level, with a D-1 deputy. Upon enquiry, the Committee was informed that the staffing proposals were based on average requirements. Thus some regions and municipalities might be assigned more resources than the average and others less. The Committee points out that the estimated number and grade structure of the posts are not based on what actually will be required since the eventual workload of each regional office and municipality is not known. Furthermore, the Committee has not received convincing justification for the grading structure of the regional offices. Accordingly, the Committee recommends that the D-2 posts for the five regional offices be graded at the D-1 level and their deputies at the P-5 level.

32. The Advisory Committee notes that within Civil Administration, the Department of Administrative and Support Services is to plan, organize and control the implementation of the Kosovo budget and provide essential support services for civil affairs and public administrative functions for Kosovo (see A/54/494, para. 68). There is no information, however, on the Kosovo budget and related tasks performed by the personnel funded from that budget. The Committee is therefore unable to comment on the relationship, if any, between the functions budgeted for under the UNMIK budget, those performed under the Kosovo budget and those under the aegis of OSCE and the European Union in the regions and municipalities.

33. The Advisory Committee also notes that whereas UNMIK is responsible for identifying the requirements of the spending departments, the central fiscal authority is under the European Union (see *ibid.*, para. 74). The financing report provides, under the Department of Economic Affairs and Natural Resources Administration, for close collaboration with pillar IV (Reconstruction) (*ibid.*, para. 80); however, it is not clear what impact in terms of staff and non-staff resources this collaboration would have. The same comment applies also with regard to "close collaboration with pillar IV" referred to elsewhere in the report (*ibid.*, paras. 82-84). In view of the role that the European Union and OSCE play in the regions and municipalities and the absence of information on the tasks they perform and the magnitude and the scope of the special projects to be undertaken, the number of posts under Civil Administration remains to be fully justified. Taking into account what is stated in paragraph 31 above, the Committee recommends at this time the following staffing structure for Civil Administration: 1 Assistant Secretary-General, 4 D-2, 19 D-1, 51 P-5, 200 P-4, 160 P-3, 160 General Service (Other level) and 1,900 Local level.

34. The proposed staffing requirements of Humanitarian Affairs include 1 Assistant Secretary-General, 1 D-2, 2 P-5, 9 P-4, 2 P-3, 3 P-2, 3 Field Service, 2 General Service (Other level) and 20 Local level posts (*ibid.*, paras. 95-100). The Advisory Committee is of the view that some functions in Humanitarian Affairs are overly fragmented and should be further reviewed and streamlined. In the meantime, the Committee recommends the deletion of one P-4 and two Local level posts.

35. The Advisory Committee received, upon request, additional information on the roles of the Department of Peacekeeping Operations and UNHCR in demining activities in UNMIK, which is reproduced in annex I to the present report.

36. The Advisory Committee notes that the functions of the Adviser on Minorities would be assigned to a P-4 staff member who would formulate, coordinate and implement a comprehensive strategy to address the protection and assistance concerns of minorities in Kosovo, in coordination with other relevant actors such as OSCE, the United Nations civilian police and KFOR (see *ibid.*, para. 98). The Committee notes also that there is no office for the protection of minorities. This situation requires, in the opinion of the Committee, an immediate review, taking into account the mandate set out in Security Council resolution 1244 (1999). Furthermore, the Committee is of the view that a P-4 post for this function is inadequate and requests that the level of the post be reviewed urgently. Consideration should also be given to assigning additional posts to discharge this function. The representatives of the Secretary-General have acknowledged the need for such actions.

37. The proposed structure of the Division of Administration provides for 104 posts in the Professional category and above (1 D-2, 2 D-1, 10 P-5, 26 P-4, 42 P-3 and 23 P-2), 204 Field Service posts, 7 General Service (Principal level) posts, 94 General Service (Other level) posts, 42 Security Service posts, 1,398 Local level posts, 12 National Officers and 203 United Nations Volunteers. The Advisory Committee is of the view that the structure of the Division replicates by and large that of Headquarters or simply follows, with little change, the generic organizational structure contained in the Standard Ratios and Standard Cost Manual. The Committee concludes that fewer staff and non-staff resources could be required for the Division if a number of actions were taken, such as making better use of data-processing equipment and organizing units more efficiently by merging them, where appropriate, paying due regard to the necessity of maintaining separation of functions in accordance with principles and rules of internal control. The Committee requests that the structure of the Division be reviewed, and, in the meantime, it recommends for it the following posts: 1 D-2, 2 D-1, 9 P-5, 23 P-4, 38 P-3, 21 P-2, 180 Field Service, 6 General Service (Principal level), 85 General Service (Other level), 42 Security Service, 1,296 Local level, 12 National Officers and 203 United Nations Volunteers.

38. With respect to the United Nations Volunteers, the Advisory Committee is of the view that opportunities for their use in peacekeeping operations should be explored more intensively. The Committee was informed that the total average monthly cost of a United Nations Volunteer in UNMIK is \$3,375, excluding the hazard duty allowance of \$400. The volunteer service could be a potential source of immediate assistance if the mix of expertise could be expanded to include the sorts of staff required as gratis personnel, in accordance with the procedures established by the General Assembly. The Committee recommends, accordingly, that a study be made of the potential for wider use of United Nations Volunteers to meet the requirements of field missions. The study should be made available to the Assembly by the main part of its fifty-fifth session.

39. The Advisory Committee was informed, upon enquiry, that 17 gratis personnel had been accepted for UNMIK. The Committee received, upon request, additional information from the Secretariat, which is contained in annex II below. The Committee reiterates, in this connection, its request contained in its report on review of the efficiency of the administrative and financial functioning of the United Nations that all future proposals by the Secretary-General on gratis personnel and the subsequent implementation of legislative mandates be in full compliance with relevant General Assembly resolutions and fully respect the relevant policies, procedures and regulations of the Organization (A/54/470, para. 4).

40. With regard to 18 National Officers, the Advisory Committee notes from the report that 12 such officers will work as language staff in the Division of Administration and the remaining 6 will work in Civil Administration. Additional information on functions to be performed by the National Officers, which was provided to the Committee upon request,

is contained in annex III below. On the basis of the information contained in annex III, the Committee does not object, at this time, to the 12 National Officers for language services; however, it does not see the rationale for the other 6. The Committee recommends that these not be approved at this time pending a study, involving, among others, the Office of Human Resources Management, of all policy and financial implications of introducing this category of personnel in UNMIK. Bearing in mind that National Officers have been used in the United Nations Mission in Bosnia and Herzegovina (see A/53/895/Add.6, para. 25), the Committee further recommends that the study also include the wider implications for all future peacekeeping operations.

41. The proposed budget for UNMIK provides for the deployment of 4,718 civilian police. During its review of the estimates, the Advisory Committee was informed of delays in the deployment of civilian police. For example, the budget estimates were based on the deployment of 2,450 police in October 1999. The actual deployment, however, was of 1,747 civilian police in that month.

42. The Advisory Committee notes that it may be necessary to deploy some police as formed units (see A/54/494, para. 21). In the course of its deliberations, the Committee was informed that only one such unit had been identified to be deployed some time in 2000. The extent of the number and timing of the deployment of formed police units was not expected to be known until towards the end of the first quarter of 2000. In this connection, the Committee urges the Secretary-General to expedite the current negotiations on formed police units so that they can be deployed as soon as possible. The deployment of formed units would affect the breakdown of expenditures by line item, but the total estimates for police are not expected to change. The Committee notes, however, that in a number of areas, such as vehicles, provision has been made for formed units. Delayed deployment may lead to fewer operational resources being used during the current financial period ending 30 June 2000.

43. Considering the past experience of deploying police at the start-up phases of peacekeeping operations, the Advisory Committee is of the view that the cost estimates for civilian police in UNMIK could be reduced by 8 per cent, or \$8 million.

44. The Advisory Committee was informed that the concern expressed regarding the need for more police has been addressed in the number now authorized. In his report to the Security Council, the Secretary-General indicated that the number of civilian police would be gradually reduced as the force progressively fulfilled its parallel mandate of developing capable local police forces (S/1999/987/Add.1, para. 2). The Committee notes that this would be done through training, for which 200 trainees have already been deployed. Information was requested on the target number of local police to be trained and the timing of their deployment. The Committee was informed that it was not expected that a reduction of civilian police would commence in 2000.

45. An estimated provision of \$1.1 million is requested for general temporary assistance and consultants. The Advisory Committee points out that the explanation of the requirements is too general and can hardly be regarded as a justification (see A/54/494, annex I.C, paras. 9 and 10). For example, international consultants and experts will be required to assist in carrying out assessments and other projects. No indication is given as to the number of consultants and projects, areas where the projects are needed or the duration of contracts. Moreover, even where costs are indicated, no information is provided on the basis on which the estimates were arrived at or whether indeed these expenses should be borne by the United Nations (see para. 32 above). For example, the budget indicates that UNMIK will require the services of two contract engineers for a period of six months at an estimated cost of \$102,800 to assist in the assessment of buildings and to prepare specifications for work and

repairs, and it is not known whether the contractors will be internationally recruited, how the duration of their services was determined, and so on. A provision of \$700,000 is requested to meet the cost of engaging local volunteers and youth corps to assist on a temporary basis with the interim administration without any indication as to the number of individuals to be engaged, the duration of their contracts or the type of work that they will be performing. Pending the formulation of a request providing more proof of need, the Committee recommends that estimates for general temporary assistance be reduced by \$220,000.

46. The estimated requirements for travel total \$1.1 million (*ibid.*, paras. 11-16 and annex II.A). In the view of the Advisory Committee the travel programme is excessive and should be reviewed. The Committee recommends an amount of \$1.0 million, a reduction of \$146,600.

47. Operational costs of the Mission totalling \$171.1 million include provisions for premises/accommodation (\$8.1 million), transport operations (\$69.1 million), air operations (\$10.4 million), communications (\$41.7 million), other equipment (\$31.5 million), supplies and services (\$10.0 million) and air and surface freight (\$0.3 million). Approximately 75 per cent of the estimated costs represent non-recurrent requirements.

48. The cost estimates of \$69.1 million for transport operations provide for a fleet of 2,977 vehicles; in respect of 841 vehicles, purchase orders were issued by 31 August 1999 or vehicles were transferred from surplus stock. The remaining 2,136 vehicles will be purchased at an estimated cost of \$59.8 million, including freight. The Advisory Committee was informed that bulk purchase of vehicles has led to a considerable reduction in purchase cost; the use of the United Nations Logistics Base at Brindisi, Italy, for refurbishment and trans-shipment and for start-up services has also contributed to savings. In view of delays in the deployment of UNMIK personnel and taking into account reductions in staff recommended above, the Committee is of the opinion that the estimates for transport operations should be reduced by \$5.0 million.

49. The Advisory Committee notes that provision of \$10.4 million is made in the cost estimates for the continued operation of two helicopters and one heavy-lift cargo aircraft (see *ibid.*, annex I.C, paras. 29 and 30). The Committee requests that the next budget submission for UNMIK justify requirements for air support in terms of operational necessity and also provide the rationale for the inclusion of various elements in aircraft rental contracts, such as block hours, extra hours and so on.

50. With regard to the estimated provision of \$31.5 million requested under other equipment, the Advisory Committee notes that with the exception of generators, which will be obtained from surplus stock at the United Nations Logistics Base at Brindisi, all other equipment, including replacement of start-up kit items, will be purchased (see *ibid.*, para. 39). In view of delays in the deployment of UNMIK personnel and taking into account reductions in staff recommended above, the Committee is of the opinion that the estimates under other equipment should be reduced by \$2.5 million. The Committee requested information on equipment transferred from the United Nations Logistics Base at Brindisi and/or other missions but has not received it; this information should be provided to the Fifth Committee.

51. With regard to the delegated authority for procurement, the Advisory Committee was informed that the \$200,000 limit for peacekeeping operations has been applied to this Mission; items that cost less than \$50,000 are not referred to the Local Committee on contracts. In this regard the Committee requests that vigorous steps be taken to procure as much as possible from the region. With regard to the fact that there are two procurement

units in UNMIK, the Committee was provided, upon request, with clarification, which is contained in annex IV below.

52. The Advisory Committee was informed during its deliberations that UNMIK provides services to other entities on a reimbursable basis. The Committee was provided with additional information in this respect, which is contained in annex V below. The Committee requests that information on reimbursements be included in future budget submissions for UNMIK.

53. A provision of \$75,600 is made for audit services in connection with a planning audit by the Board of Auditors in October 1999 and an interim audit in March 2000 (*ibid.*, para. 40). A budgetary provision is also made for the Office of the Resident Auditor, the staff of which would include one P-4, one P-3, one General Service (Other level) and one Local level post. The Advisory Committee was informed that the role of UNMIK in implementing the Kosovo budget would be audited by the United Nations Board of Auditors. Moreover, the Secretariat clarified, upon enquiry, that as the Kosovo budget process and rules are outside the scope of the UNMIK budget *per se*, it is not the intention to request the United Nations Board of Auditors to be the independent audit entity but rather to request one or more Governments to provide the necessary resources for this purpose. The Committee trusts that UNMIK will not be subject to separate independent national audits, which might lead to conflicting recommendations. In this connection, the Committee draws attention to its views, comments and recommendations contained in paragraphs 98 to 106 of its first report on the proposed programme budget for the biennium 1998-1999.¹ The Committee is also of the view that the number of resident auditors is inadequate and requests a review of this matter.

54. The Advisory Committee notes that there is no budgetary provision for the support account, which is in accordance with the current budgeting and financing procedure. The Committee was informed that vacant support account posts have been used to address the need for additional support account requirements at Headquarters related to newly established peacekeeping operations.

55. In view of the above recommendations and observations, the Advisory Committee recommends that the General Assembly appropriate the amount of \$427,061,800 gross for the establishment and maintenance of UNMIK for the period from 10 June 1999 to 30 June 2000, inclusive of the amount of \$200 million authorized by the General Assembly in its resolution 53/241. Annex VI.A contains a breakdown by budget line of the total recommended reduction of \$28,803,900, annex VI.B contains a breakdown of the Committee's staffing recommendations, and annex VI.C contains the UNMIK organizational structure, which reflects the staffing changes recommended by the Committee.

56. As stated above, the size, scope and mandate of UNMIK are unique in the United Nations. The Advisory Committee recognizes the difficulties inherent in preparing the initial budget for such a mission without the benefit of precedent or operational experience. It is for that reason that the Committee has indicated a number of times above that its recommendations for reductions in posts and other resources can be revisited in future budget submissions on the basis of experience. The Committee understands that preparations for the UNMIK budget for the period from 1 July 2000 to 30 June 2001 will be under way almost as soon as the current submission is approved by the General Assembly in order for it to be available for the Committee's winter session. Under the circumstances, the preparation of that budget will also suffer from a lack of operational experience. In this connection, the Committee draws attention to what is stated in paragraph 21 above and to the provisions of General Assembly resolution 49/233 A of 23 December 1994.

Notes

¹ *Official Records of the General Assembly, Fifty-second Session, Supplement No. 7 (A/52/7/Rev.1).*

Annex I

Mine Action Centre

Existing structure of mine action within the United Nations

As part of the Secretary-General's reforms of 1997 to make the United Nations a more effective organization, it was deemed necessary to establish a single focal point within the United Nations to coordinate, facilitate and monitor all issues and activities related to the United Nations efforts to eliminate the scourge of landmines. The United Nations Mine Action Service was created in October of 1997 as part of the Department of Peacekeeping Operations.

Furthermore, the policy framework on mine action was presented by the Secretary-General to the General Assembly and adopted in resolution 53/26 of 17 November 1998. The policy framework lays out the different roles and responsibilities of the United Nations system with the United Nations Mine Action Service as the lead coordinating body within the Organization.

The United Nations Mine Action Service is mandated to take a proactive approach to ensure that the activities that are undertaken by various organizations of the United Nations system are mutually supportive, well-coordinated and non-duplicative. The policy framework also sets forth the various roles and responsibilities of the agencies, programmes and funds in connection with mine action and include the United Nations Development Programme for mine action and socio-economic development, the United Nations Children's Fund for mine awareness, the World Health Organization for mine victim assistance, the Department for Disarmament Affairs for support to the Ottawa Treaty process, the Office of the United Nations High Commissioner for Refugees for mine action and the return of refugees and the World Food Programme and the Food and Agriculture Organization of the United Nations for mine action and food security.

The United Nations Mine Action Service as mine action focal point for the United Nations system is also responsible for programme initiation in connection with both peacekeeping missions and humanitarian emergencies. This is the case in Kosovo, Federal Republic of Yugoslavia.

Emergency mine action programme as part of the United Nations Interim Administration Mission in Kosovo

The United Nations Interim Administration Mission in Kosovo (UNMIK) Mine Action Coordination Centre was established immediately following the cessation of fighting and shortly after the inter-agency assessment mission to Kosovo led by the Special Representative of the Secretary-General ad interim, Sergio Vieira de Mello.

The Mine Action Coordination Centre's responsibilities include serving as focal point for coordinating all field-level operations in which mine-related activities are concerned, collecting mine and unexploded ordnance data for clearance activities and dangerous area reduction, managing the emergency mine clearance plan, coordinating mine awareness activities, providing quality assurance and certifying all non-governmental organization and private-for-hire demining organizations.

Four pillars of assistance to the province of Kosovo were established, including Civil Administration, Humanitarian Assistance, Rehabilitation and Reconstruction and Institution-

building. The Mine Action Coordination Centre is officially a component of the Humanitarian Assistance pillar of UNMIK in that it was deemed necessary, during the initial operations of the Mission, to ensure that the humanitarian aspect was addressed on an urgent basis. The first priority for the Mine Action Coordination Centre was to clear mines to permit human habitation and resettlement so that refugees could return to their homes and shelters before the start of the usually severe Balkan winter.

The UNMIK Mine Action Coordination Centre, in fact, supports all four pillars of assistance and is called upon to provide a mine action response in Kosovo where and when the need arises. All aspects of the peacekeeping mission, including the establishment of communications, engineering support, logistics, civilian police, border monitoring and so on, are all being affected by the scope and extent of Kosovo's mine and unexploded ordnance contamination problem. The Mine Action Coordination Centre is called upon to check, verify or clear mines and unexploded ordnance from the special police unit camps, the municipal police and civil administration sites, the border police posts, the civilian police substations and communications and engineering posts.

Assessed budget and voluntary contributions to support the operations of the Mine Action Coordination Centre

The creation of the mine action component as part of UNMIK can be found in Security Council resolution 1244 (1999), in which the Council charges the Secretary-General with the establishment of civil administration and includes supervision of demining as one of its principal responsibilities.

The budget proposal before the General Assembly presents mine action in Kosovo within two distinct categories: (a) mine clearance and other mine action activities to support the core functions of the United Nations Secretariat as it carries out the peacekeeping mission under the mandate of the Security Council; and (b) mine action activities to support the humanitarian response of the United Nations and its partners to ensure that refugees and displaced persons can return home safely and that relief aid can proceed unhindered.

The overall budget for all mine action activities supported by the United Nations in Kosovo is now established at \$11 million for a 12-month period commencing with the start of operations in Kosovo. Of this amount, the major portion, equal to \$7.2 million, will be raised through voluntary contributions that are either directed through the Voluntary Trust Fund for Assistance in Mine Action or are provided on a bilateral basis to non-governmental organizations in the field. To date, \$1.9 million has been raised through the Voluntary Trust Fund for activities in Kosovo, and an additional \$4 million has been pledged by the donor community. These funds are to be used to support the humanitarian mine action response.

The assessed budget of the peacekeeping mission will support the core operational functions of the Mine Action Coordination Centre and clearance activities specifically in support of the peacekeeping mission itself. Included in the budget are international and local personnel as well as \$900,000 for mine-clearance activities in connection with sites constituting a risk to United Nations personnel. As many as 60 sites will need to be investigated, and of these some 15 are expected to require mine clearance, at an approximate cost of \$60,000 per site. Contracts for demining would be awarded on the basis of competitive bidding and would be tendered and awarded in accordance with United Nations financial and procurement rules and regulations.

Humanitarian demining operations, which permit the safe return of refugees and internally displaced persons to their homes throughout the territory of Kosovo, will be

funded through voluntary contributions. It should be noted that the current proposal to include mine action in the assessed budget of the peacekeeping mission is specific to the situation in Kosovo, and the adoption of this principle will not affect or change the way in which existing mine action programmes supported by the United Nations are funded, generally through voluntary contributions to established trust funds.

International and local staff within the Mine Action Coordination Centre

Both international and local staff are responsible for the core functions of the UNMIK Mine Action Coordination Centre and work within the information and data collection, technology, operations and quality assurance cells of the Centre. Currently, local staff do not possess the technical skills or knowledge to carry out the functions of the Centre independently. International personnel bring both technical expertise and experience and work alongside local counterpart staff in order to provide training and capacity-building within the various functional areas of responsibility.

Local staff make up the majority of the Mine Action Coordination Centre's personnel, and in addition to receiving training, they of course, because of their language capabilities, carry out the principal line functions, which include data collection on landmines and unexploded ordnance and information-gathering in the field as well as mine awareness with local population groups, including local staff within the civil administration. This is essential for the overall effectiveness and sustainability of the mine action effort.

As with other mine action programmes using this model, the number of international staff will be reduced as the ability of local staff to assume coordination functions increases, thereby bringing down the overall costs of the programme. When the peacekeeping mission is over and responsibility for a number of functions is handed over to local authorities, the Mine Action Coordination Centre can continue to coordinate the clearance of mines and unexploded ordnance, the disposal of explosive ordnance and verification and related activities through appropriately trained local personnel.

Annex II

Gratis personnel in the United Nations Interim Administration Mission in Kosovo

1. In conformity with the provisions of General Assembly resolutions 51/243 of 15 September 1997 and 52/234 of 26 June 1998, the Department of Peacekeeping Operations addressed a note verbale dated 29 June 1999 to all United Nations Member States requesting them to provide to the United Nations Interim Administration Mission in Kosovo (UNMIK), as soon as possible, names of potential candidates who could provide expertise in the areas of the UNMIK Civil Administration as either gratis personnel or for secondment or appointment to the Mission.

2. Responses proposing candidates were received from the following 45 countries: Austria, Belarus, Belgium, Benin, Bolivia, Canada, Côte d'Ivoire, Cuba, Czech Republic, Egypt, Ethiopia, Finland, France, Georgia, Germany, Greece, Guinea, Guinea-Bissau, Hungary, India, Italy, Japan, Kyrgyzstan, Lithuania, Madagascar, Mali, Niger, Nigeria, Pakistan, Philippines, Portugal, Republic of Korea, Romania, Russian Federation, Slovenia, Spain, Sudan, Sweden, Switzerland, Thailand, Tunisia, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America.

3. With regard to the request for candidates for assignment as gratis personnel, responses were received from four countries: Cuba, Germany, Switzerland and Turkey. A total of 17 candidates were accepted for assignment to UNMIK, and the following table describes the functional areas where they were assigned.

4. If there are compelling and exceptional circumstances or circumstances that require the attention of gratis personnel beyond six months, the authorization of the General Assembly will be sought in accordance with paragraph 18 of its resolution 52/234. However, it is not anticipated that the Secretariat will need to request the Assembly to authorize the extension of the assignments of these gratis personnel beyond six months.

<i>Nationality</i>	<i>Office</i>	<i>Function</i>	<i>Arrival</i>
Cuba	Civil Administration	Advises on public health	20 October 1999
Cuba	Civil Administration	Advises on public health	19 October 1999
Cuba	Civil Administration	Advises on public health	20 October 1999
Cuba	Civil Administration	Advises on public health	19 October 1999
Cuba	Civil Administration	Advises on public health	19 October 1999
Cuba	Civil Administration	Advises on public health	20 October 1999
Cuba	Civil Administration	Advises on public health	19 October 1999
Cuba	Civil Administration	Advises on public health	19 October 1999
Cuba	Civil Administration	Advises on public health	20 October 1999
Germany	Civil Administration	Advises on public administration	7 September 1999
Switzerland	Civil Administration	Advises on public health	13 September 1999
Switzerland	Civil Administration	Advises on civil administration	13 September 1999
Switzerland	Civil Administration	Advises on civil administration	20 September 1999
Switzerland	Civil Administration	Advises on civil administration	13 September 1999
Switzerland	Civil Administration	Advises on public health	8 October 1999

<i>Nationality</i>	<i>Office</i>	<i>Function</i>	<i>Arrival</i>
Switzerland	Civil Administration	Advises on financial and budgetary matters	14 October 1999
Turkey	Civil Administration	Advises on financial and budgetary matters	1 August 1999

Notification to the General Assembly on gratis personnel

In his letter dated 9 June 1999 to the President of the General Assembly (A/53/1000), the Secretary-General stated that he had received a request from the Prosecutor of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 in which she sought approval for seeking and accepting a number of gratis personnel from Member States. Based on the large number of forensic specialists involved (up to 300 personnel) and the need to act immediately, the Prosecutor had concluded that the only way to allow immediate investigations was through the use of gratis personnel. The Secretary-General also stated that the approach suggested by the Prosecutor fell within the criteria and requirements for the acceptance of gratis personnel established by the Assembly in its resolution 51/243 of 15 September 1997 and that he would proceed to issue invitations to all Member States to offer gratis personnel and to accept experts for the specialized functions as identified by the Prosecutor for a period of six months.

The action taken by the Secretary-General to inform the General Assembly before sending out letters to all Member States was not mandated by resolution 51/243 and should not be construed as precedent-setting. The letter was sent for several reasons: (a) the Secretary-General was responding to a request from the Prosecutor, unlike in the case of UNMIK, in which he decided on the use of gratis personnel; (b) the large number of gratis personnel involved; and (c) the fact that type II gratis personnel had been phased out at the end of February.

In the case of UNMIK, the procedures set out in resolution 51/243 were followed: (a) letters were sent to all Member States; (b) the expertise required covered a wide range of specialized functions that were not available within the Organization; (c) the appointments were of a limited duration, not longer than six months; and (d) those cases will be reported to the General Assembly in the report issued by the Office of Human Resources Management in accordance with paragraph 12 of resolution 51/243.

Annex III

Functions and responsibilities of National Officers

A. National Officers (language unit), translators and local language assistants

(a) National Officers. Twelve National Officers will be selected through an interview/examination process similar to that in place for United Nations language staff (interpreters/translators). They will provide simultaneous interpretation from Albanian to English and English to Albanian as well as from Serbian to English and from English to Serbian. It is envisaged to have two interpretation booths freelancing along the same lines (two ways) as the existing Chinese and Arabic booths in the United Nations. In addition, these interpreters will freelance as official translators/revisers for all UNMIK texts.

(b) Translators: Legal Office (G-6/G-7). These translators will provide draft translations of all legal texts which will be used by the National Officers mentioned above.

(c) Language assistants (G-4/G-5). They will provide informal conversational interpretation or translation at the day-to-day working level in all offices/departments/sections of UNMIK as well as to the civilian police force.

B. National Officers (non-language) — Civil Administration

(a) Policy advisers in the Office of the Deputy Special Representative of the Secretary-General (2). Will monitor and analyse trends and developments in Kosovo for the Deputy Special Representative of the Secretary-General; assist him in his contacts with local representatives and other actors relevant to the fulfilment of his duties; at the request of and under the direction of the Deputy Special Representative of the Secretary-General, assess requirements in specific areas of concern and interface with concerned local structures and actors; and advise and assist the Deputy Special Representative of the Secretary-General on the selection of individuals that UNMIK may appoint to assume executive functions as counterpart and under its authority in pre-determined areas of the public administration. These functions will initially be headed by co-directorates with and under the authority of the designated UNMIK official;

(b) Policy adviser in the Secretariat of Education (Culture) (1). Will assist the head of the Secretariat in identifying the main issues in the field of culture that Civil Administration should address, including educational aspects at every level; monitor and analyse trends and developments; support the head of the Secretariat in the selection of individuals that may assume executive functions as counterparts of UNMIK in the educational and cultural sectors and under its authority; make proposals for policies and activities to be undertaken and, under the direction of the head of the Secretariat, interact with local representatives to set up and organize events that will engage concerned Kosovar personalities and representatives, irrespective of ethnicity, in the promotion of cultural activities;

(c) Policy adviser in the Secretariat of Health (1). Will assist the head of the Secretariat in identifying the main issues to be addressed in the field of health services, including hospitals and primary health care; monitor and analyse trends and developments; support the Head of the Secretariat in the selection of individuals representative of the health sector that may assume executive functions as counterparts of UNMIK for the sector and

under its authority; provide advice on policies and strategic options and interact with local representatives;

(d) Policy adviser in the Secretariat of Social Welfare and Labour (1). Will assist the head of the Secretariat in identifying the main issues to be addressed in the field of social welfare and labour; monitor and analyse trends and developments; support the head of the Secretariat in the selection of individuals that may assume executive functions as counterparts of UNMIK for the sector and under its authority; identify the main organizations involved; provide advice on policies and strategic options; and interact with local representatives;

(e) Policy adviser in the Department of Economic Affairs and Natural Resources (1). Will assist and advise the Director of the Department on the main issues to be addressed in the transition period, particularly with regard to the establishment of an environmental protection framework; monitor and analyse trends and developments; support the Director in the selection of individuals representative of each sector within the sphere of competence of the Department that may assume executive functions as counterparts of UNMIK and under its authority; provide advice on policies and strategic options and interact with local representatives.

Annex IV

Procurement operations

1. There are two separate procurement operations in the United Nations Interim Administration Mission in Kosovo (UNMIK), one along traditional lines operates for all UNMIK procurement under United Nations procurement rules with a committee on contracts dealing at the local level with all procurement up to \$200,000 per contract. For all contracts above that limit, the local committee reviews the process and makes recommendations to the Headquarters Committee on Contracts in accordance with usual practice.

2. The second procurement operation is shown as a section under the Department of Administrative and Support Services in Civil Administration. It deals with procurement related to the Kosovo budget. It operates under a set of rules derived from the United Nations, the World Bank and the United Nations Commission on International Trade Law procurement rules, which are in the process of being finalized. The bids are analysed by the substantive department/section within Civil Administration, which initiated the procurement process. They are then reviewed by the Procurement Section. Depending on the procurement amounts involved, the matter is then decided by the Chief of the Procurement Section or referred with a recommendation to a Procurement Board (five members), designated by the Special Representative of the Secretary-General. The Board (acting somewhat like a Committee on Contracts in the United Nations) then presents its recommendations to either the Deputy Special Representative of the Secretary-General, Civil Administration, or the Deputy Special Representative of the Secretary-General, European Union, as the case may be. Both have been delegated the authority to approve procurement contracts for the Kosovo budget.

3. The number of posts in each section/unit has been determined on the basis of the expected volume of transactions expected to be handled by the respective section/unit. For Civil Administration, the complement of staff indicated (6 Professional, 3 international General Service and 5 Local level) will be handling all centralized procurement. Some local procurement up to a monetary limit of DM 20,000 per contract will be handled at the municipality level applying the rules mentioned above.

Annex V

Reimbursement of services

The share of reimbursement of services provided by the United Nations Interim Administration Mission in Kosovo (UNMIK) to other entities (organizations of the United Nations system), the European Union and the Organization for Security and Cooperation in Europe (OSCE) has been discussed during the last two inter-agency coordination meetings. An administrative coordination committee has been established and meets weekly. As a result, a letter is being sent to all entities to notify them of the type of services UNMIK will be able to provide, albeit not on a regular basis, but rather as staffing and timing permit. It is planned to provide such services on a reimbursable basis, and UNMIK is in the process of finalizing reimbursement rates for services, which will be communicated to the entities concerned. For transactions and/or purchases effected on behalf of these entities, UNMIK will be charging the customary 13 per cent overhead. It is also intended to introduce cost-sharing arrangements for utilities and the like when sharing of offices occurs. In short, the Mission is trying to ensure that the UNMIK budget is subsidizing neither non-UNMIK entities nor those UNMIK entities that are deemed self-supporting (OSCE, European Union and Humanitarian Affairs for the part not included in the UNMIK budget).

Annex VI

Recommendations of the Advisory Committee on Administrative and Budgetary Questions

A. Proposed reductions in the United Nations Interim Administration Mission in Kosovo budget

(Thousands of United States dollars)

<i>Description</i>	<i>Amount of reduction</i>
Civilian police	(8 000.0)
International salaries	(4 007.3)
National Officer salaries	(103.6)
Local staff salaries	(1 758.2)
General temporary assistance	(220.0)
Common staff costs	(3 213.3)
Mission subsistence allowance	(1 946.9) ^a
Other travel	(146.6)
Transport operations	(5 000.0)
Other equipment	(2 500.0)
Office supplies	(93.6) ^a
Sanitation materials	(20.2) ^a
Quartermaster	(68.5) ^a
Staff assessment	(1 725.7)
Total	(28 803.9)

^a Consequential reductions resulting from the recommended changes in staffing.

B. Recommendations on the staffing structure of the United Nations Interim Administration Mission in Kosovo

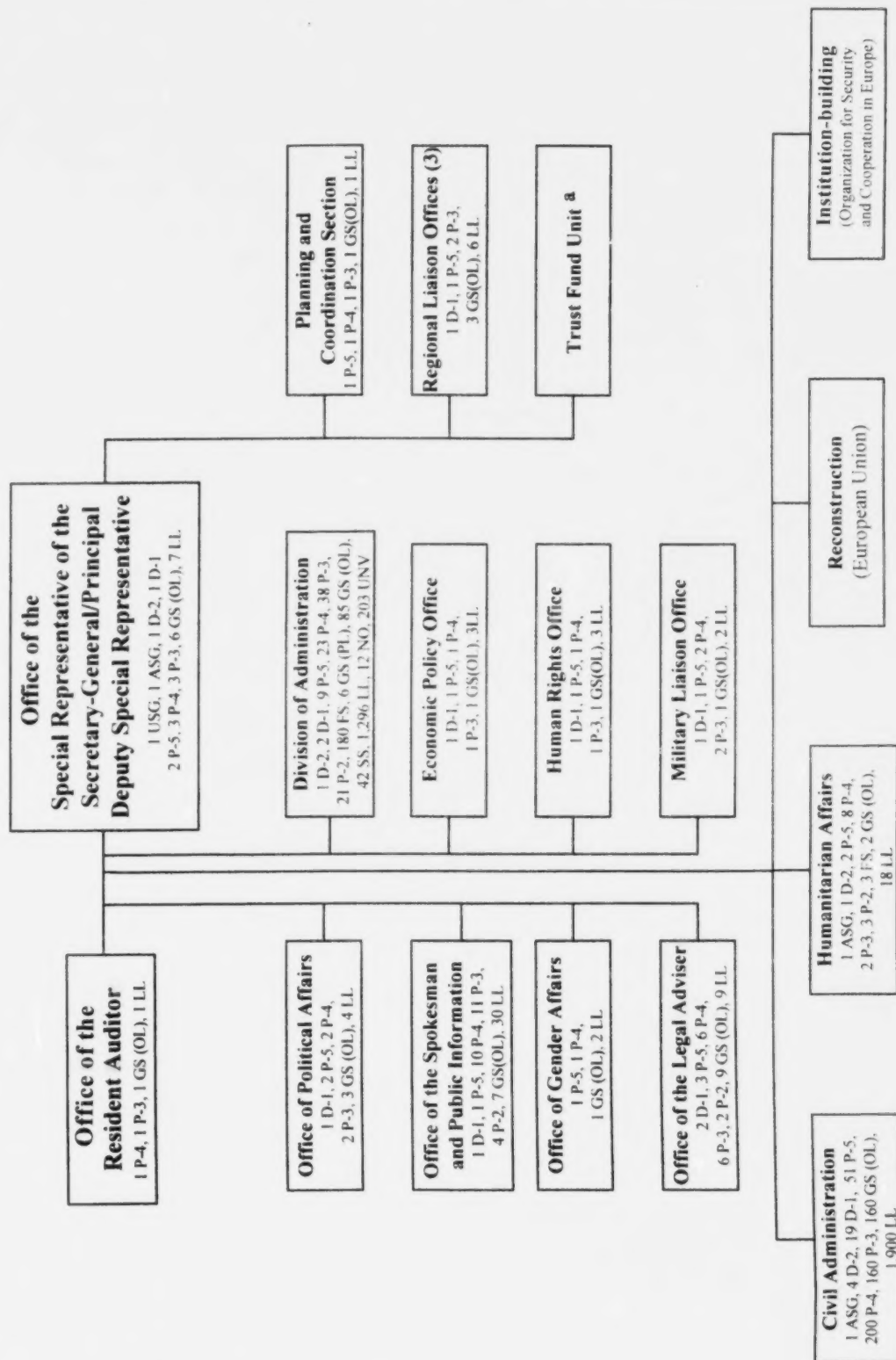
Post reductions:

- 3 D-2
- 4 D-1
- 6 P-5
- 24 P-4
- 27 P-3
- 2 P-2
- 1 General Service (Professional level)
- 30 General Service (Other level)
- 24 Field Service
- 284 Local level
- 6 National Officer

Total: 411

Reclassifications: 6 D-2 to D-1; 6 D-1 to P-5.

C. United Nations Interim Administration Mission in Kosovo organization chart (as revised by the Advisory Committee on Administrative and Budgetary Questions)



^a Four posts (1 P-5, 1 P-4, 1 General Service and 1 Local level) will be funded from the trust fund programme support costs.

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Agenda item 121

Proposed programme budget for the biennium 2000-2001

Revised estimates: effect of changes in rates of exchange and inflation

Report of the Secretary-General

Summary

In accordance with established practice, the proposed programme budget is recosted prior to its adoption by the General Assembly, following its preliminary recosting, as reflected in the budget proposals of the Secretary-General (A/54/6/Rev.1).

The present report provides the latest data on actual inflation experience, the outcome of salary surveys and the movement of post adjustment indices in 1999, and the effect of the evolution of operational rates of exchange in 1999 on the proposed programme budget for the biennium 2000-2001.

The recosted level of the resources proposed under the expenditure sections would amount to \$2,584.6 million. Similarly, the recosting estimates of income for 2000-2001 would amount to \$365.7 million.



1. In order to provide a comparable basis to analyse increases and decreases in a programme from one biennium to another, the proposed programme budget is presented at the same price levels and at the same rates of exchange as the current programme budget. At the same time, the proposed programme budget contains provisions for anticipated increases owing to inflation, and adjustments owing to changes in the rates of exchange. These are isolated and presented separately in the column entitled "recosting" in the proposed programme budget. After preparing the proposed programme budget, the programme budget is "recosted" three times in the biennial cycle as follows:

(a) The first recosting (as per the present report) is contained in the revised estimates submitted by the Secretary-General for consideration by the General Assembly, in order to update the resource requirements in the proposed programme budget before an initial appropriation is approved;

(b) The second is contained in the revised estimates submitted by the Secretary-General in the first performance report (end of the first year of the biennium), in connection with approval of a revised appropriation;

(c) The third is included in the second performance report (end of the second year of the biennium), in connection with approval of the final appropriation.

2. As foreseen in the introduction to the proposed programme budget for the biennium 2000-2001 (A/54/6/Rev.1, vol. I, para. 8), a recosting of the proposed programme budget is provided to take into account changes in operational rates of exchange, actual inflation experience, the outcome of salary surveys, if any, and the movement of post adjustment indices. The recosting in this case is based on data available up to November 1999.

3. The table below provides a summary of the results of the recosting based on the parameters described in the following paragraphs. It may be subject to further revision, as necessary, as a result of specific decisions of the Fifth Committee on programme budget implications and revised estimates.

<i>Initial proposed programme budget 2000-2001</i>	<i>Adjustments recommended by the Advisory Committee^a</i>	<i>Proposed programme budget + adjustments</i>	<i>Exchange rate</i>	<i>Inflation</i>	<i>Total changes</i>	<i>Estimated 2000-2001 appropriation</i>
<i>(1)</i>	<i>(2)</i>	<i>(3)</i>	<i>(4)</i>	<i>(5)</i>	<i>(6) - (2 + 4 + 5)</i>	<i>(7)</i>
<i>(Thousands of United States dollars)</i>						
2 655 362.4	(5 785.2)	2 649 577.2	(69 563.8)	4 615.0	(70 734.0)	2 584 628.4

^a See paras. 10 and 11 below.

4. The following annexes to the present report provide the proposed revised recosting factors to be applied for the first recosting in the biennial cycle and are compared to the assumptions applied in the preliminary recosting included in the proposed programme budget for the biennium 2000-2001:

Schedule I. Rates of exchange and annual rates of inflation by main duty station included in the proposed programme budget and in the present report

Schedule II. Post adjustment multipliers by main duty station

Schedule III. Cost-of-living adjustments by main duty stations (General Service)

Schedule IV. Effect of recosting by section, subsection and main determining factor

5. The United Nations operational rates of exchange in force at the time of the recosting (latest exchange rate) have frequently been used as the basis of recostings. In the present recosting, a similar approach of using the latest rate of exchange (that is, November 1999) has been used. This is in line with the views of the Advisory Committee on Administrative and Budgetary Questions (A/51/7/Add.6, para. 5) that the Administration should use such operational rates of exchange in its recosting exercises as would allow for the lowest estimates.
6. With respect to inflation, consideration is given, as necessary, to a series of factors, including analysis of the movement of the consumer price index at the different duty stations for goods and services, and probable increases in the salaries of General Service staff as a result of the movement of consumer price indices and the outcome of comprehensive salary surveys.
7. In the case of the salaries of staff in the Professional category, while base salaries are not affected by exchange rates, as they are denominated in dollars, the post adjustment component moves in response to changes in cost-of-living and exchange rates. The base salaries are, however, adjusted at each recosting to incorporate latest trends following an analysis of monthly payroll data by grade for each duty station.
8. The present recosting takes into consideration a number of recommendations of the Advisory Committee, which have been separately identified in paragraphs 9 to 11 below, as well as the attached schedules to the present report. While the General Assembly is yet to take action on the recommendations, the assumption has been made that it would be best to reflect them at this stage, to the extent that they can be specifically costed. This would allow Member States to have a more comprehensive picture of the overall level of estimates for consideration in determining the appropriation for the biennium 2000-2001. It should be noted, however, that the following clarifications would apply.
9. In paragraph 128 of its report (A/54/7), the Advisory Committee indicated that it had no basis to change the overall level of resources proposed by the Secretary-General. At the same time, however, in paragraph 130, the Committee indicated that there were several areas and sections where additional resources could be required. In order to identify these specific areas or sections, subject to compensating increases or reductions in resources, section guidance would be required before they could be reflected in the estimates. However, in the case of those clearly identified recommendations of the Advisory Committee affecting individual sections of the budget, their effects have been incorporated in the present recosting and are detailed below.
10. In paragraph 28 of the introduction to the proposed programme budget for the biennium 2000-2001, a uniform vacancy rate was proposed for posts in the Professional and General Service category: a rate of 5 per cent for staff in the Professional category and a rate of 2.5 per cent for General Service staff. However, in paragraph 36 of its report, the Advisory Committee recommended the reinstatement of the 50 per cent delayed recruitment factor for new posts. Accordingly, adjustments have been made in line with the recommendations of the Advisory Committee and these amount to \$48.9 million gross.
11. In addition to the following other recommendations, amounting to \$903,200 to individual sections have been incorporated in the recosting. These are listed below with reference to the specific section and paragraph of the report of the Advisory Committee as follows:

<i>Recommendations of the Advisory Committee contained in its report (A/54/7)</i>		
<i>Section</i>	<i>Paragraph reference</i>	<i>Description</i>
Section 1, Overall policy-making, direction and coordination	I.16	Not convinced of the proposal for a new P-5 post in the Executive Office of the Secretary-General to assist the Deputy Secretary-General in her responsibilities related to the ongoing reform process.
Section 11A, Trade and development	IV.38	Recommendation against the redeployment of a P-2 post from subprogramme 5 to subprogramme 1.
Section 22, Human rights	VI.12	Recommendation against the request for the additional new P-4 post for the New York Office of the High Commissioner.
Section 25, Humanitarian assistance	VI.28 and VI.31	Recommendation against the redeployment of one P-2 from New York, to the Geneva Liaison Unit of the Inter-Agency Standing Committee (subprogramme 2 to subprogramme 1);
		Recommendation that the subvention to the United Nations Development Programme from the regular budget be set at \$2,310,000 for the biennium 2000-2001, as opposed to the amount of \$2,309,300 (an increase of \$700).
Section 26, Public information	VII.8	Recommendation against the reclassification of the P-5 to D-1 (under executive direction and management).
Section 28, Internal oversight	IX.5	Recommendation against the reclassification of the P-5 to D-1 under executive direction and management; and recommendation that the new post for a planning and compliance officer be provided at the P-4 level and at the P-5 level reflected in the proposed programme budget.
Section 29, Jointly financed administrative activities	X.16	Recommendation against the appropriation of the United Nations share as it related to the Information Systems Coordination Committee.

12. Schedule IV contains a detailed listing, by section and main determining factor, of the revised estimates for the biennium 2000-2001 resulting from the recosting of the resource requirements of the expenditure sections in the proposed programme budget, inclusive of the adjustments enumerated in paragraphs 10 and 11 above, using the rates of exchange and inflation recommended in the present report.

13. The foregoing budget factors are also proposed to be applied to the income sections. The revised estimates for the income sections are summarized below:

<i>Section</i>	<i>Initial proposed programme budget 2000-2001</i>	<i>Revised estimates</i>	<i>Increase/(decrease)</i>
	<i>(Thousands of United States dollars)</i>		
IS1. Income from staff assessment	326 945.2	323 119.6	(3 825.6)
IS2. General income	37 900.0	37 356.0	(544.0)
IS3. Services to the public	5 590.5	5 215.4	(375.1)
Total	370 435.7	365 691.0	(4 744.7)

Schedule I

Rates of exchange and annual rates of inflation by main duty station included in the proposed programme budget and in the present report

Main duty station	Rates of exchange 2000-2001		Average annual rates of inflation (percentage)			
	Proposed programme budget	In the present report ^a	Proposed programme budget		In the present report	
			1999 ^b	2000-2001	1999 ^c	2000-2001
New York (United States dollars)	-	-	2.4	2.4	2.2	2.6
Geneva (Swiss francs)	1.46	1.53	0.9	0.9	0.7	1.1
Vienna (Austrian schillings)	12.45	13.10	1.5	1.5	0.6	1.2
The Hague (Netherlands guilders)	2.01	2.10	2.3	2.3	2.3	2.4
Bangkok (Thai baht)	41.17	38.91	7.0	7.0	0.8	0.8
Santiago (Chilean pesos)	451.55	535.00	4.8	4.8	2.9	2.9
Mexico City (Mexican pesos)	8.78	9.45	13.3	13.3	16.6	16.6
Addis Ababa (Ethiopian birr)	7.06	8.12	2.4	2.4	2.2	2.6
Nairobi (Kenyan shillings)	60.45	75.00	9.0	9.0	5.8	5.8
Port-of-Spain (Trinidad and Tobago dollars)	6.24	6.20	5.8	5.8	3.1	3.1
UNMOGIP (rupees)	40.44	43.12	16.5	16.5	10.1	10.1
UNTSO (new shekels)	3.67	4.24	4.0	4.0	5.3	5.3
Gaza (new shekels)	3.67	4.24	4.0	4.0	5.3	5.3
UNRWA (shekels)	3.67	4.24	4.0	4.0	5.3	5.3
Beirut (Lebanese pounds)	1 512.18	1 501.00	4.9	4.9	1.5	1.5
United Nations information centres ^d	-	-	2.4	2.4	2.2	2.6

^a 1999 November rate.

^b Revised 1998-1999 appropriation.

^c 1999 average with actuals through November and November rate projected for December.

^d Combined effect of inflation and exchange rate changes.

Schedule II

Post adjustment multipliers by main duty station

Main duty station	Proposed programme budget			This report	
	1999 ^a	2000 ^b	2001 ^b	2000	2001
New York	146.9	146.8	149.5	148.6	151.7
Geneva	154.0	150.3	150.3	144.2	144.2
Vienna	136.5	134.2	135.8	127.2	127.9
The Hague	127.6	124.6	125.7	120.0	120.6
Bangkok	116.9	110.0	113.6	111.3	111.3
Santiago	129.0	127.1	128.8	116.2	116.2
Mexico City	108.3	119.2	127.5	117.2	127.0
Addis Ababa	118.1	115.3	115.3	112.8	112.8
Nairobi	125.0	127.8	133.9	118.2	118.2
Port-of-Spain	120.1	119.5	123.8	116.9	119.4
UNMOGIP	127.6	132.9	145.5	126.4	133.8
UNTSO	123.5	125.0	126.9	119.5	121.4
Gaza	123.5	125.0	126.9	119.5	121.4
UNRWA	123.5	125.0	126.9	119.5	121.4
Beirut	148.1	144.6	145.3	144.7	144.7
United Nations information centres	126.8	129.2	131.7	127.9	128.6

^a Revised 1998-1999 appropriations.

^b Multipliers for 2000 onwards adjusted for consolidation of 2.48 multiplier points effective 1 March 1999.

Schedule III

**Annual cost-of-living adjustments by main duty station
(General Service)**

Main duty station	Proposed programme budget		In the present report	
	1999 ^a	2000	1999	2000-2001
New York	2.0	2.0	1.5	2.6
Geneva	-	-	-	1.1
Vienna	-	-	-	1.2
The Hague	2.2	2.0	1.5	2.4
Bangkok	15.0	15.0	-	0.8
Santiago	5.7	5.0	4.3	2.9 ^b
Mexico City	12.1	10.0	10.5	16.6
Addis Ababa	4.6	4.6	4.6	2.6 ^b
Nairobi	8.0	8.0	18.8	5.8 ^b
Port-of-Spain	3.1	3.2	6.0	3.1
UNMOGIP	4.5	4.5	16.7	10.1 ^b
UNTSO	6.3	6.3	6.9	5.3 ^b
GAZA	6.3	6.3	6.9	5.3
UNRWA	6.3	6.3	6.9	5.3
Beirut	4.5	4.5	4.5	1.5 ^b
United Nations information centres	4.5	4.5	4.5	2.6

^a Revised 1998-1999 appropriations.

^b Projections.

Schedule IV

Effect of recosting by section, subsection and main determining factor

(Thousands of United States dollars)

Expenditure sections	Proposed programme budget (1)	Administrative Committee recommended adjustments (2)	Proposed programme budget		Recosting		Total changes (6)-(2)+(4)+(5)	Estimated 2000-2001 appropriation (7)-(1)+(6)
			Administrative Committee (3)	Inflation (5)	Currency (4)	Inflation (5)		
1 Overall policy-making, direction and coordination	48 658.3	(537.7)	48 120.6	304.4	(364.6)		(597.9)	48 060.4
2 General Assembly affairs and conference services	441 244.9	-	441 244.9	2 247.8	(8 619.2)		(6 371.4)	434 873.5
3 Political affairs	134 647.0	(38.3)	134 608.7	407.1	-		368.8	135 015.8
4 Disarmament	14 216.2	(226.8)	13 989.4	55.4	(91.1)		(262.5)	13 953.7
5 Peacekeeping operations	88 598.2	-	88 598.2	961.8	(7 102.3)		(6 140.5)	82 457.7
6 Peaceful uses of outer space	4 162.0	-	4 162.0	(111.9)	(194.5)		(306.4)	3 855.6
7 International Court of Justice	22 263.1	(315.6)	21 947.5	114.6	(517.4)		(718.4)	21 544.7
8 Legal affairs	35 299.7	(194.8)	35 104.9	166.9	(170.9)		(198.8)	35 100.9
9 Economic and social affairs	113 822.6	-	113 822.6	935.0	-		935.0	114 757.6
10 Africa: New Agenda for Development	6 337.2	(263.7)	6 073.5	129.4	(124.0)		(258.3)	6 078.9
11 Trade and development	115 473.3	-	115 473.3	(42.8)	(5 080.0)		(5 122.8)	110 350.5
A. Trade and development	95 302.4	-	95 302.4	(27.2)	(4 173.4)		(4 200.6)	91 101.8
B. International Trade Centre								
UNCTAD/WTO	20 170.9	-	20 170.9	(15.6)	(906.6)		(922.2)	19 248.7
12 Environment	9 463.4	-	9 463.4	568.5	(1 031.6)		(463.1)	9 000.3
13 Human settlements	14 633.3	-	14 633.3	1 544.2	(2 070.3)		(526.1)	14 107.2
14 Crime prevention and criminal justice	6 175.6	(105.3)	6 070.3	(156.2)	(277.2)		(538.7)	5 636.9
15 International drug control	17 558.9	(295.6)	17 263.3	(408.0)	(762.9)		(1 466.5)	16 092.4
16 Economic and social development in Africa	83 519.3	(558.6)	82 960.7	5 764.5	(9 041.1)		(3 835.2)	79 684.1
17 Economic and social development in Asia and the Pacific	64 472.6	-	64 472.6	(9 984.3)	3 199.8		(6 784.5)	57 688.1
18 Economic development in Europe	44 290.6	(117.0)	44 173.6	182.8	(1 965.8)		(1 900.0)	42 390.6
19 Economic and social development in Latin America and the Caribbean	90 757.7	-	90 757.7	224.3	(10 986.6)		(10 762.3)	79 995.4

Expenditure sections	Proposed programme budget (1)	Administrative Committee recommended adjustments (2)	Proposed programme budget			Inflation (5)	Total changes (6) - (2) - (4) - (5)	Estimated 2000-2001 appropriation (7) = (1) + (6)
			Administrative Committee (3)	Currency (4)	Recosting			
20 Economic and social development in Western Asia	53 011.4	-	53 011.4	368.2	(2 297.5)	(1 929.3)	51 082.1	
21 Regular programme of technical cooperation	45 138.9	-	45 138.9	(1 722.5)	(864.4)	(2 586.9)	42 552.0	
22 Human rights	43 429.9	(921.1)	42 508.8	(1 504.4)	134.6	(2 290.9)	41 139.0	
23 Protection of and assistance to refugees	45 650.2	-	45 650.2	(2 061.1)	395.1	(1 666.0)	43 984.2	
24 Palestine refugees	23 350.4	-	23 350.4	(2 860.1)	687.4	(2 172.7)	21 177.7	
25 Humanitarian assistance	20 029.0	(446.4)	19 582.6	(220.7)	96.8	(570.3)	19 458.7	
26 Public information	145 734.0	(23.4)	145 710.6	(366.4)	(97.5)	(487.3)	145 246.7	
27 Management and central support services	460 086.6	-	460 086.6	(8 478.0)	2 412.3	(6 065.7)	454 020.9	
A. Office of the Under-Secretary-General for Management	11 619.9	-	11 619.9	-	113.3	113.3	11 733.2	
B. Office of Programme Planning, Budget and Accounts	22 761.9	-	22 761.9	-	172.2	172.2	22 934.1	
C. Office of Human Resources Management	48 840.4	-	48 840.4	-	254.5	254.5	49 094.9	
D. Office of Central Support Services	231 323.0	-	231 323.0	-	380.5	380.5	231 703.5	
E. Administration, Geneva	99 671.4	-	99 671.4	(4 510.8)	825.4	(3 685.4)	95 986.0	
F. Administration, Vienna	29 875.7	-	29 875.7	(1 454.7)	(238.4)	(1 693.1)	28 182.6	
G. Administration, Nairobi	15 994.3	-	15 994.3	(2 512.5)	904.8	(1 607.7)	14 386.6	
28 Internal oversight	20 079.9	(458.9)	19 621.0	(299.6)	367.9	(390.6)	19 689.3	
29 Jointly financed administrative activities	8 451.8	(466.5)	7 985.3	(202.2)	(110.9)	(779.6)	7 672.2	
30 Special expenses	53 888.4	-	53 888.4	(404.8)	(42.6)	(447.4)	53 441.0	
31 Construction, alteration, improvement and major maintenance	45 653.7	-	45 653.7	(1 434.9)	(1 045.8)	(2 480.7)	43 173.0	
32 Staff assessment	322 199.3	(815.5)	321 383.8	(5 177.6)	2 076.1	(3 917.0)	318 282.3	
33 Development Account	13 065.0	-	13 065.0	-	-	-	13 065.0	
Total expenditure estimates (gross)	2 655 362.4	(5 785.2)	2 649 577.2	(69 563.8)	4 615.0	70 734.0	2 584 628.4	



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Agenda item 121

Proposed programme budget for the biennium 2000-2001

Revised estimates: effect of changes in rates of exchange and inflation

Report of the Secretary-General

Corrigendum

Paragraph 10

In the last line of the paragraph, *for \$48.9 million gross, read \$4.9 million gross.*



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Agenda item 121

Proposed programme budget for the biennium 2000-2001

Revised estimates: effect of changes in rates of exchange and inflation

Report of the Secretary-General

Addendum

Summary

In the previous report of the Secretary-General on the effect of changes in rates of exchange and inflation on the proposed programme budget for the biennium 2000-2001 (A/54/623), data up to November 1999 were used as the basis of analysis.

Since that report, there has been a significant change in the performance of a number of currencies against the United States dollar. The present addendum provides updated information as of December 1999 on the impact of changes to the operational rates of exchange and post adjustment indices on the proposed programme budget.

In this report the recosted level of the resources proposed under the expenditure sections would therefore amount to \$2,561.9 million. Similarly, the estimates of income for 2000-2001 would amount to \$363.8 million.



1. Based on existing methodology, the previous report of the Secretary-General on the effect of changes in rates of exchange and inflation on the proposed programme budget for the biennium 2000-2001 (A/54/623) provided information on the basis of data available up to November 1999.

2. Since the issuance of that report, some currencies, notably the Swiss franc and the Austrian schilling, have shifted favourably against the United States dollar. At the same time, a number of other currencies have remained stable or virtually unchanged, for example the Ethiopian birr, the Kenyan shilling, the Lebanese pound and the new shekel.

3. In view of the recent favourable performance of some of the currencies against the United States dollar and bearing in mind the views of the Advisory Committee on Administrative and Budgetary Questions (A/51/7/Add.6, para. 5) that the Administration should use such operational rates of exchange in its recosting exercises as would allow for the lowest estimates, the present report is provided to update the estimates for 2000-2001 based on the December 1999 United Nations operational rates of exchange and associated movements in the post adjustment indices.

4. The table below provides a summary of the results of this recosting encompassing the changes to exchange rates and post adjustment indices. Explanations of those parameters other than those involving post adjustment indices and exchange rates that remain unchanged from the previous report (A/54/623) are not repeated here. The estimated 2000-2001 appropriation may be subject to further revision, as necessary, as a result of specific decisions of the Fifth Committee on programme budget implications and revised estimates.

<i>Initial proposed programme budget 2000-2001</i>	<i>Adjustments recommended by the Advisory Committee^a</i>	<i>Initial proposed programme budget + adjustments</i>	<i>Exchange rate</i>	<i>Inflation</i>	<i>Total changes</i>	<i>Estimated 2000-2001 appropriation</i>
(1)	(2)	(3)	(4)	(5)	(6) = (2 + 4 + 5)	(7)
<i>(Thousands of United States dollars)</i>						
2 655 362.4	(5 785.2)	2 649 577.2	(92 849.1)	5 238.0	(93 396.3)	2 561 966.1

^a See A/54/623, paras. 10 and 11.

5. The following annexes to the present report provide the proposed revised recosting factors applied to this recosting and are compared to the assumptions applied in the preliminary recosting included in the proposed programme budget for the biennium 2000-2001:

Schedule I. Rates of exchange and annual rates of inflation by main duty station included in the proposed programme budget and in the present report

Schedule II. Post adjustment multipliers by main duty station

Schedule III. Effect of recosting by section, subsection and main determining factor

6. The foregoing budget factors are also applied to the income sections. The revised estimates for the income sections are summarized below:

<i>Section</i>	<i>Initial proposed programme budget 2000-2001</i>	<i>Revised estimates</i>	<i>Increase/(decrease)</i>
	<i>(Thousands of United States dollars)</i>		
IS1. Income from staff assessment	326 945.2	321 531.7	(5 413.5)
IS2. General income	37 900.0	37 178.0	(722.0)
IS3. Services to the public	5 590.5	5 114.8	(475.7)
Total	370 435.7	363 824.5	(6 611.2)

Schedule I

Rates of exchange and annual rates of inflation by main duty station included in the proposed programme budget and in the present report

Main duty station	Rates of exchange 2000-2001		Average annual rates of inflation (percentage)			
	Proposed programme budget	In the present report ^a	Proposed programme budget		In the present report	
			1999 ^b	2000-2001	1999 ^c	2000-2001
New York (United States dollars)	-	-	2.4	2.4	2.2	2.6
Geneva (Swiss francs)	1.46	1.59	0.9	0.9	0.7	1.1
Vienna (Austrian schillings)	12.45	13.66	1.5	1.5	0.6	1.2
The Hague (Netherlands guilders)	2.01	2.19	2.3	2.3	2.3	2.4
Bangkok (Thai baht)	41.17	38.62	7.0	7.0	0.8	0.8
Santiago (Chilean pesos)	451.55	535.00	4.8	4.8	2.9	2.9
Mexico City (Mexican pesos)	8.78	9.35	13.3	13.3	16.6	16.6
Addis Ababa (Ethiopian birr)	7.06	8.13	2.4	2.4	2.2	2.6
Nairobi (Kenyan shillings)	60.45	75.00	9.0	9.0	5.8	5.8
Port-of-Spain (Trinidad and Tobago dollars)	6.24	6.20	5.8	5.8	3.1	3.1
UNMOGIP (rupees)	40.44	43.15	16.5	16.5	10.1	10.1
UNTSO (new shekels)	3.67	4.24	4.0	4.0	5.3	5.3
Gaza (new shekels)	3.67	4.24	4.0	4.0	5.3	5.3
UNRWA (shekels)	3.67	4.24	4.0	4.0	5.3	5.3
Beirut (Lebanese pounds)	1 512.18	1 501.00	4.9	4.9	1.5	1.5
United Nations information centres ^d	-	-	2.4	2.4	2.2	2.6

^a 1999 December rate.

^b Revised 1998-1999 appropriation.

^c 1999 average with actuals through November and November rate projected through December.

^d Combined effect of inflation and exchange rate changes.

Schedule II

Post adjustment multipliers by main duty station

Main duty station	Proposed programme budget			This report	
	1999 ^a	2000 ^b	2001 ^b	2000	2001
New York	146.9	146.8	149.5	148.6	151.7
Geneva	154.0	150.3	150.3	139.2	139.2
Vienna	136.5	134.2	135.8	123.1	124.3
The Hague	127.6	124.6	125.7	115.8	117.2
Bangkok	116.9	110.0	113.6	111.3	111.3
Santiago	129.0	127.1	128.8	116.2	116.2
Mexico City	108.3	119.2	127.5	117.2	127.0
Addis Ababa	118.1	115.3	115.3	112.8	112.8
Nairobi	125.0	127.8	133.9	118.2	118.2
Port-of-Spain	120.1	119.5	123.8	116.9	119.4
UNMOGIP	127.6	132.9	145.5	126.4	133.8
UNTSO	123.5	125.0	126.9	119.5	121.4
Gaza	123.5	125.0	126.9	119.5	121.4
UNRWA	123.5	125.0	126.9	119.5	121.4
Beirut	148.1	144.6	145.3	144.7	144.7
United Nations information centres	126.8	129.2	131.7	127.9	128.6

^a Revised 1998-1999 appropriations.

^b Multipliers for 2000 onwards adjusted for consolidation of 2.48 multiplier points effective 1 March 1999.

Schedule III

Effect of recosting by section, subsection and main determining factor

(Thousands of United States dollars)

Expenditure sections	Proposed programme budget				Recosting		Estimated 2000-2001 appropriation (7) = (1) + (6)
	Proposed programme budget (1)	Administrative Committee recommended adjustments (2)	Administrative Committee budget (3)	Currency (4)	Inflation (5)	Total changes (6) = (2) + (4) + (5)	
1 Overall policy-making, direction and coordination	48 658.3	(537.7)	48 120.6	(567.3)	317.6	(787.4)	47 870.9
2 General Assembly affairs and conference services	441 244.9	-	441 244.9	(14 505.4)	2 701.4	(11 804.0)	429 440.9
3 Political affairs	134 647.0	(38.3)	134 608.7	-	406.5	368.2	135 015.2
4 Disarmament	14 216.2	(226.8)	13 989.4	(162.9)	59.7	(330.0)	13 886.2
5 Peacekeeping operations	88 598.2	-	88 598.2	(7 110.4)	958.3	(6 152.1)	82 446.1
6 Peaceful uses of outer space	4 162.0	-	4 162.0	(347.1)	(83.8)	(430.9)	3 731.1
7 International Court of Justice	22 263.1	(315.6)	21 947.5	(992.2)	141.5	(1 166.3)	21 096.8
8 Legal affairs	35 299.7	(194.8)	35 104.9	(304.9)	187.9	(311.8)	34 987.9
9 Economic and social affairs	113 822.6	-	113 822.6	-	934.4	934.4	114 757.0
10 Africa: New Agenda for Development	6 337.2	(263.7)	6 073.5	(125.2)	130.3	(258.6)	6 078.6
11 Trade and development	115 473.3	-	115 473.3	(8 364.5)	62.7	(8 301.8)	107 171.5
A. Trade and development	95 302.4	-	95 302.4	(7 457.9)	78.3	(7 379.6)	87 922.8
B. International Trade Centre	20 170.9	-	20 170.9	(906.6)	(15.6)	(922.2)	19 248.7
UNCTAD/WTO	9 463.4	-	9 463.4	(1 121.9)	571.8	(550.1)	8 913.3
12 Environment	14 633.3	-	14 633.3	(2 107.9)	1 543.6	(564.3)	14 069.0
13 Human settlements	6 175.6	(105.3)	6 070.3	(494.8)	(113.5)	(713.6)	5 462.0
14 Crime prevention and criminal justice	17 558.9	(295.6)	17 263.3	(1 362.8)	(305.0)	(1 963.4)	15 595.5
15 International drug control	83 519.3	(558.6)	82 960.7	(9 113.8)	5 827.8	(3 844.6)	79 674.7
16 Economic and social development in Africa	64 472.6	-	64 472.6	3 638.8	(10 216.5)	(6 577.7)	57 894.9
17 Economic and social development in Asia and the Pacific	44 290.6	(117.0)	44 173.6	(3 513.9)	248.1	(3 382.8)	40 907.8
18 Economic development in Europe	90 757.7	-	90 757.7	(10 901.8)	196.5	(10 705.3)	80 052.4
19 Economic and social development in Latin America and the Caribbean							

Expenditure sections	Proposed programme budget (1)	Administrative Committee recommended adjustments (2)	Proposed programme budget			Currency (4)	Inflation (5)	Total changes (6) = (2) + (4) + (5)	Estimated 2000-2001 appropriation (7) = (1) + (6)
			Administrative Committee recommended adjustments (2)	Administrative Committee (3)	Recosting				
20 Economic and social development in Western Asia	53 011.4	-	-	53 011.4	-	368.2	(2 310.3)	(1 942.1)	51 069.3
21 Regular programme of technical cooperation	45 138.9	-	-	45 138.9	-	(1 968.3)	(1 175.3)	(3 143.6)	41 995.3
22 Human rights	43 429.9	(921.1)	-	42 508.8	-	(2 688.4)	207.5	(3 402.0)	40 027.9
23 Protection of and assistance to refugees	45 650.2	-	-	45 650.2	-	(3 683.0)	415.5	(3 267.5)	42 382.7
24 Palestine refugees	23 350.4	-	-	23 350.4	-	(2 860.1)	687.4	(2 172.7)	21 177.7
25 Humanitarian assistance	20 029.0	(446.4)	-	19 582.6	-	(394.2)	108.6	(732.0)	19 297.0
26 Public information	145 734.0	(23.4)	-	145 710.6	-	(659.3)	(83.2)	(765.9)	144 968.1
27 Management and central support services	460 086.6	-	-	460 086.6	-	(13 170.4)	2 470.8	(10 699.6)	449 387.0
A. Office of the Under-Secretary-General for Management	11 619.9	-	-	11 619.9	-	-	113.3	113.3	11 733.2
B. Office of Programme Planning, Budget and Accounts	22 761.9	-	-	22 761.9	-	-	171.9	171.9	22 933.8
C. Office of Human Resources Management	48 840.4	-	-	48 840.4	-	-	254.2	254.2	49 094.6
D. Office of Central Support Services	231 323.0	-	-	231 323.0	-	-	380.2	380.2	231 703.2
E. Administration, Geneva	99 671.4	-	-	99 671.4	-	(8 060.0)	847.6	(7 212.4)	92 459.0
F. Administration, Vienna	29 875.7	-	-	29 875.7	-	(2 597.9)	(201.2)	(2 799.1)	27 076.6
G. Administration, Nairobi	15 994.3	-	-	15 994.3	-	(2 512.5)	904.8	(1 607.7)	14 386.6
28 Internal oversight	20 079.9	(458.9)	-	19 621.0	-	(348.3)	369.6	(437.6)	19 642.3
29 Jointly financed administrative activities	8 451.8	(466.5)	-	7 985.3	-	(125.5)	49.5	(542.5)	7 909.3
30 Special expenses	53 888.4	-	-	53 888.4	-	(723.2)	(78.0)	(801.2)	53 087.2
31 Construction, alteration, improvement and major maintenance	45 653.7	-	-	45 653.7	-	(1 772.9)	(1 052.0)	(2 824.9)	42 828.8
32 Staff assessment	322 199.3	(815.5)	-	321 383.8	-	(7 365.7)	2 058.6	(6 122.6)	316 076.7
33 Development Account	13 065.0	-	-	13 065.0	-	-	-	-	13 065.0
Total expenditure estimates (gross)	2 655 362.4	(5 785.2)	-	2 649 577.2	-	(92 849.1)	5 238.0	93 396.3	2 561 966.1



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Fifty-fourth session

Agenda item 121

Proposed programme budget for the biennium 2000-2001

Revised estimates: effect of changes in rates of exchange and inflation

Report of the Secretary-General

Corrigendum

Schedule III

Under the "Total changes" column, the final entry, "Total expenditure estimates
(gross)" *should read*

(93 396.3)





General Assembly

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Agenda items 8 and 15 (c)

**Adoption of the agenda and organization of work: reports of the
General Committee**

**Elections to fill vacancies in principal organs: election of five members of
the International Court of Justice**

Election of a member of the International Court of Justice

Note by the Secretary-General

1. By a letter dated 19 November 1999, Judge Stephen Schwebel, the President of the International Court of Justice, pursuant to Article 13, paragraph 4, of the Statute of the Court, informed the Secretary-General of his resignation as a member of the Court effective 29 February 2000. Thus, a vacancy will occur on 29 February 2000.
2. Judge Schwebel was elected as a member of the Court from 15 January 1981 and was re-elected as from 6 February 1988 and from 6 February 1997. His current term of office would have expired on 5 February 2006. In accordance with the terms of the Statute of the Court, the General Assembly and the Security Council will therefore have to elect a member of the Court to serve for the remainder of the term of Judge Schwebel.
3. The Security Council was informed of the occurrence of this vacancy in the Court in a note by the Secretary-General (S/1999/1197). Pursuant to Article 14 of the Statute of the Court, the Security Council is to fix the date of the election.
4. In order to enable the General Assembly to take the required action, it will, therefore, be necessary to reopen consideration of agenda item 15 (c).





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Agenda item 48

The situation of democracy and human rights in Haiti

The situation of democracy and human rights in Haiti

Report of the Secretary-General

I. Introduction

1. The present report is the second of two reports on the implementation of General Assembly resolution 53/95 of 8 December 1998, by which the Assembly renewed the mandate of the United Nations component of the International Civilian Mission in Haiti (MICIVIH), undertaken jointly with the Organization of American States (OAS), until 31 December 1999.

2. Prepared in consultation with the General Secretariat of the Organization of American States, the report describes the activities of MICIVIH since May 1999 in carrying out its mandated responsibilities of providing institutional assistance (with particular reference to the police, judiciary, the penal system, the Office of the Ombudsman and civil society organizations), supporting the promotion and protection of human rights and verifying observance of individual rights, fundamental freedoms and due process requirements. It also gives an overview of the changes that have affected the composition, mandate and *modus operandi* of the Mission over the years and presents observations, conclusions and recommendations. The Mission's activities and presence in the field were adversely affected by the downsizing of its OAS component at the end of June 1999, a result of funding difficulties.

3. MICIVIH has continued to participate in the activities of the United Nations system in Haiti including joint projects

with the specialized agencies on themes pertaining to the rights of women and of children in particular. Administrative, logistic and communications support continued to be provided to MICIVIH by the United Nations Civilian Police Mission in Haiti (MIPONUH).

II. Political context

4. Since my report of 10 May 1999 (A/53/950) the preparations to get the electoral process under way and manoeuvring by the various political parties have dominated the political context. This early positioning for political advantage has taken place in a worsening political climate marked by increased polarization and intolerance, a rise in reports of threats and of acts of intimidation and harassment and continuing mutual mistrust between the political actors and between the latter and the Government, as well as repeated outbreaks of street violence, some undoubtedly politically motivated.

5. Organizing elections in such an atmosphere is no easy task as the decisions and motives of the President of Haiti, René Préval, and of the Provisional Electoral Council (*Conseil électoral provisoire* (CEP)) are constantly questioned and second-guessed. Questions are being raised about the will and capacity of those involved to hold well organized elections within a reasonable time-frame. In mid-June, after lengthy consultations with the political parties,



CEP made public an initial draft of the Electoral Law. These consultations were, however, boycotted by two major parties, the *Organisation du peuple en lutte* (OPL) and *Fanmi Lavalas*.

6. Despite some dissatisfaction over the designation of the document as a law in the absence of a sitting Parliament, it was generally accepted by most of the political parties. This was facilitated by initial indications that CEP would disregard the contested results of the first round of the partial Senate elections. These elections had seen two *Fanmi Lavalas* candidates emerge as outright winners and had sparked the protracted political crisis. Critical of the intentions of CEP, *Fanmi Lavalas* threatened to challenge CEP in court, while some supporters sought to intimidate it by promising to stage massive public demonstrations and disturbances. The decision of CEP to institute voter identity cards with a photograph as a means of preventing fraud also drew the ire of *Fanmi Lavalas*, which claimed that the difficulty of producing such cards in the many isolated pockets of the country would disenfranchise its electorate.

7. Executive hesitation and reservations about the draft Electoral Law, in particular over the use of electoral photo-identity cards and reference to the specific number of Senate seats to be contested, delayed its signing until 16 July 1999. The law's promulgation without the signatures of the President and of the ministerial Cabinet increased the opposition's sense of unease and suspicion.

8. CEP has since started to put the electoral apparatus in place, with the installation in August of the three-member teams of officials that comprise the 11 departmental election offices. These teams, however, still lack the resources to function effectively. The recruitment of a larger number of officials for the next level of communal election offices is almost completed. Protests and acts of intimidation were reported in certain places where the composition of the communal and departmental election offices were contested.

9. In response to concerns expressed in many quarters about the capacity of CEP to respect its initial, but unofficial, date of 14 November 1999 for the first round of elections, the Council held a series of consultations with political parties, which resulted in a timetable calling for the first-round of elections to take place on 19 December 1999 and the second round on 16 January 2000. The President, however, had reservations over the feasibility of the proposed calendar. After time-consuming consultations between the President and CEP, a decree was issued, on 29 September, formally announcing that the first round of elections would be held on 19 March 2000, although a date for the second round was not mentioned. Finally, on 6

October, CEP officially announced that the first and second round of elections would take place on 19 March and 30 April 2000, respectively.

10. The overwhelming majority of political parties have indicated their willingness to participate in the elections, a sign of improvement over previous ballots. There are also encouraging signs of regroupings among the many political parties in the country. Underlining an increasing awareness that they are also stakeholders in the strengthening of the democratic process, civil society organizations are preparing to undertake election observation. Despite these welcome and significant developments, there are formidable organizational, logistical, managerial and political obstacles to be overcome by CEP before the elections scheduled for early next year become a reality. The worryingly slow pace of preparations will have to be accelerated.

11. Political intolerance and the consequent infringements on the rights of freedom of speech and peaceful assembly continue to be a source of concern. There were several reported attempts to disrupt the activities of emerging or newly constituted groups, the most egregious example of which was the disruption by pro-Aristide demonstrators of a rally, on 28 May 1999, organized by the private sector and supported by a wide spectrum of civil society organizations and political parties to protest mounting insecurity and what they termed anarchy. The police were criticized by the organizers and participants for their passivity towards the counter-demonstrators and for bringing the rally to a premature end, raising questions about police neutrality. On 24 October, the formal launching of the CEP civic education campaign was halted by hecklers claiming to be pro-Aristide supporters.

12. Human rights associations and activists were again among the targets of acts of harassment and intimidation. In early June, leaflets containing threats were delivered to several organizations, including the Institut Karl Lévêque, the Platform of Haitian Human Rights Organizations and SAKS, a community radio network. The leaflets also requested the population to provide information about the daily schedules of the officials of the above-mentioned organizations and the schools attended by their children.

13. On 18 June 1999, the International Republican Institute announced that, following a series of threats and other incidents of intimidation against its staff and associated organizations beginning in July 1998, it was discontinuing its programmes in Haiti owing to safety concerns. The United States-funded Human Rights Fund temporarily closed its doors following threats against its staff.

14. The prevalence of attacks by armed criminals has heightened the sense of insecurity. It has also deepened the concerns of opposition leaders who interpret this mostly random criminal violence as part of a well-orchestrated plan by those who see political advantage in delaying elections until December 2000 so that they would be held simultaneously with the constitutionally required presidential elections.

15. These concerns have been heightened by the apparent inability of the police to stem the crime wave and by several attacks that may indeed have been politically motivated. On 2 August, in one of a series of such incidents involving OPL officials, shots were fired at the vehicle of the President of the Senate, who was not, however, in the vehicle. On 5 September, the vehicle of the OPL leader, which was being driven by another senior OPL official, was fired at by a lone gunman. The latter was said to have been wounded in the ensuing exchange of shots and to have been whisked away by waiting accomplices. Although the incident took place in an area where frequent incidents of armed crime are reported, a political motive has not been excluded. On 4 September, an explosive device was thrown at the premises of the Chamber of Commerce and Industry.

III. Institution-building, human rights monitoring and promotion

A. Haitian National Police

16. The milieu in which the Haitian National Police operated during this period was, as described above, complex: violent street demonstrations, spates of armed crime, public pressure to act against criminals, as well as political pressures, threats and attacks against police (some of them fatal — a total of 19 mostly off-duty policemen have been killed since the beginning of 1999). Many officers have expressed their dissatisfaction over conditions of service and severe logistical constraints. Against this background, the human rights situation deteriorated sharply.

17. The Haitian National Police remains an extremely fragile institution, weakened by internal shortcomings (administrative, disciplinary and operational) and external pressures (ebbing public support and an aggressive *Fanmi Lavalas* campaign against its leadership). Recent developments with regard to the Haitian National Police have been particularly disquieting. The sudden, and so far unexplained, resignation of the Secretary of State for Public Security in early October, the assassination of the person

rumoured to replace him, the public affronts to the Director-General of the Haitian National Police as well as the armed attack against the Director of Judicial Police have negatively affected the force. These developments have brought to the forefront questions about the capacity of the Haitian National Police to provide effective security during the forthcoming elections.

18. The campaign of *Fanmi Lavalas* and affiliated groups seeking to obtain the dismissal of the Director-General of the Haitian National Police and the Secretary of State for Public Security led the police command to become overly cautious in the maintenance of order so as to avoid becoming entrapped when responding to street demonstrations and other forms of public disturbance. As a result, the continuing series of violent street demonstrations, marked by vandalism against privately owned vehicles and by attacks against private property, including that of street vendors, contributed to the perception that the authority of the police, and of the State, was being eroded. In addition, the twin scourges of drug-trafficking and criminal activity continued to beset the Haitian National Police, including through the involvement of several high-ranking police officials, four of whom were suspended in September. These latest travails of the leadership of the Haitian National Police were a blow to the recent successes of the force in fighting crime and drug trafficking.

19. The credibility and reputation of the Haitian National Police were damaged by accusations that it was allegedly responsible for the summary execution of 11 individuals arrested during an operation in the Carrefour-Feuilles area in the outskirts of Port-au-Prince on 28 May. This incident gave rise to widespread outrage. The killings occurred only hours after the police were severely criticized for their failure to intervene to end the attempts by the pro-Aristide demonstrators to break-up the rally organized by the Chamber of Commerce. The executions were among 50 killings allegedly caused by the police between April and early June 1999, more than the total for the whole of 1998. Among these cases, and equally disturbing, were reports of 12 disappearances. It is believed that human remains found by MICIVIH on waste ground outside of Port-au-Prince may be linked to eight of the disappearances. The spate of killings appears to have diminished since early June when seven police officers involved in the Carrefour-Feuilles killings were arrested. Six additional killings, most of them under clouded circumstances, or where police alleged they came under fire, have been reported since then. These incidents serve as a sharp warning of the challenges still facing the authorities in establishing a police force that is respectful of human rights and accountable for its actions.

20. The ill-treatment of newly arrested detainees by the police continues, often causing visible and occasionally serious injuries. This suggests that police officers believe that they will not be punished for their actions, a perception reinforced by the lack of investigation by local supervisors. Some instances of torture, during which detainees reported receiving electric shocks or being burnt with cigarettes or lighters, have been recorded. Irregularities in arrest and detention procedures, prolonged detention beyond 48 hours without access to a judge and incomplete and often incorrect recording of information in custody registers in some police stations, problems which have been described in previous reports, also need to be addressed to prevent the institutionalization of these shortcomings.

21. While the Inspectorate General has continued its investigations into illicit police activities and taken swift action against police agents implicated in some cases of human rights abuses, its failure to act against certain repeat offenders or to investigate certain serious incidents of abuse is puzzling. The response of the judiciary and the police to allegations of execution following arrest and disappearance, which MICIVIH presented to the authorities, has been disappointing. Though the Haitian National Police, including members of its new Scientific and Technical Unit (*Bureau scientifique*), went to the site of the remains, accompanied by observers, took away bones and clothing and interviewed a key witness to the arrests, there has apparently been little follow-up, in spite of the gravity of the incidents. Similarly, information presented to the authorities that a group of police, together with armed civilians, had been implicated in at least 16 killings, mostly of suspect criminals, in a Port-au-Prince neighbourhood, appears not to have been seriously investigated.

22. Of 58 Haitian National Police officers currently in detention, 54 are being held in Port-au-Prince, nine in connection with human rights violations. Several others are being held in isolation in police stations, some since June, with no judicial review of their cases. Judicial investigations into police misconduct, particularly in the capital, are few. However, in an innovative approach, a commission of magistrates was eventually established to look into the Carrefour-Feuilles killings, although it has yet to release its findings. A police agent in detention in Les Cayes was brought to trial for a death in custody following a beating that occurred in April. Three police agents detained for the July 1998 death in custody of a detainee were acquitted at criminal assizes in June in Fort Liberté. Investigations into the manhandling of a bus driver and into other cases against police in Cap Haïtien suffered a setback after the Ministry of Justice dismissed a judge who refused to accept a transfer.

The transfer appeared to be related to the fact that the judge had issued a summons against the local police commissioner because the latter had failed on several occasions to appear in court.

23. The Haitian National Police continues its institutional consolidation, despite the political constraints, the lack of resources and the dangers of the profession. Two new classes graduated during the reporting period and, in addition, a new Scientific and Technical Unit was set up to improve the quality of criminal investigations. The jointly developed Haitian National Police/MICIVIH training module on conflict resolution and human rights was presented to police around the country, but was suspended following the downsizing of the Mission. MICIVIH also continued to present its module on violence against women and children to new recruits. Both courses were described in my previous report. Two of the Mission's local consultants gave training courses on these issues to police instructors responsible for human rights training at the Academy. The Mission's consultants also began to prepare a training guide on human rights in the electoral process for the police.

B. Prisons and detention centres

24. As of September 1999, MICIVIH recorded a total prison population of 3,888 inmates, of whom 80 per cent were in pre-trial detention. A set of internal guidelines for prisons, issued on 30 June, which had been awaiting ministerial approval since 1997, sets out standards for prison conditions and the treatment of detainees. However, it would appear that the regulations have not yet been distributed to prison officers by the Directorate of the Penitentiary Administration (*Direction de l'administration pénitentiaire*). Management of prisons needs to be improved so that these standards are met as far as possible. Training of prison guards has been suspended since 1998 because of delays in finding a new training centre, which has delayed the deployment of a group of newly appointed inspectors.

25. Conditions in some prisons and detention centres, in particular, overcrowding, lengthy confinement to cells, fluctuating food supplies, inadequate meals and poor sanitary facilities, fell below acceptable standards at times, frequently placing detainees' health, and at times lives, at risk. Even though the budget of the Directorate of the Penitentiary Administration has the capacity to cover all food supplies, poor management resulted in many prisoners receiving only one meal a day. An emergency nutritional programme put in place by the International Committee of the Red Cross (ICRC) in Gonaïves and in the National

Penitentiary led to improvements in the health of some 200 detainees who had been diagnosed as suffering from malnutrition. The authorities of the Directorate need to ensure that these improvements are maintained.

26. It is hoped that the presence of a new Chief Medical Officer, as of July (the post having been vacant since October 1998), when he began visiting the prisons together with representatives of ICRC, will lead to the implementation of remedial measures regarding deficiencies in medical treatment and supplies. Some steps have already been taken. In August, MICIVIH noted the increased presence of nurses and physicians in Port-au-Prince prisons and, after several months of delay, Mirebalais prison finally received medical supplies. Representatives of ICRC and the Directorate also evaluated sanitary conditions in at least three prisons with a view to making structural improvements. Poor conditions in Les Cayes prison and Croix des Bouquets detention centre were among those issues raised by MICIVIH with the Ministry of Justice.

27. Concerns about incidents of ill-treatment involving some 40 detainees were raised with the authorities. Prisoners in Les Cayes broke out of their cells to protest the beating of two detainees who had tried to escape. Some detainees, subsequently transferred to the National Penitentiary, were ill-treated by prison guards, but high-ranking prison officials claimed that other detainees were responsible. A guard, who was reportedly responsible for the beating of 26 detainees in Gonaïves in June, was merely given a warning.

28. MICIVIH worked closely with the legal assistants of the Directorate of the Penitentiary Administration, accompanying them on visits to Cap-Haïtien, Grande Rivière du Nord, Fort Liberté and Saint-Marc prisons, where they examined prison registries and prisoner dossiers to identify problems of pre-trial detention and cases of illegal detention. The Mission also responded favourably to a proposal from the Directorate to assign one of its observers full-time to the team working at the National Penitentiary, as part of its capacity-building work.

C. Justice system

29. The shortcomings and systemic weaknesses that plague the functioning of the judicial system and which have been described at length in previous reports persisted. They were most apparent in the areas of respect for judicial procedures and in the preparation of cases for trial, where they continued to constitute serious infringements of the right to individual liberty and of due process. Among the most glaring and unacceptable infringements were both the refusal

of the State prosecutor in Port-au-Prince to give effect to judicial release orders and the problem of lengthy pre-trial detention. However, the appointment of a new Minister of Justice in March 1999 has brought in a new approach to some of these problems and led to the relaunching of the stalled judicial reform process.

30. Public denunciation of the non-compliance with habeas corpus writs and frequent representations over the past years to the previous Minister of Justice, the incumbent and other senior officials by the Mission have not yet had the desired effect of ending a problem, which brings into question the will of the Haitian authorities to respect the rule of law. However, a recent suggestion by MICIVIH to set up a commission to study these long outstanding cases, some of which have a political dimension, and to make recommendations to resolve them, has been adopted by the Minister of Justice. MICIVIH has underlined the urgency for this commission to conclude its work. It is hoped that the recent transfer of the State prosecutor in Port-au-Prince and some of his deputies will end this ongoing situation against the rule of law. The Minister of Justice should ensure that court orders of release are enforced immediately.

31. A number of initiatives have recently been taken to address the other persistent problem of lengthy pre-trial detention. The Minister has called for an increase in the number of weekly sittings of the criminal court. Other measures to reduce the number of outstanding cases and to speed up processing include recourse to an old law, which permits accelerated processing of *flagrant delit* cases, and the holding of long-delayed criminal assizes. The organization of these assizes, in some places the first for well over a year, and, in Fort Liberté and Gonaïves, the first for nearly two years, led to the release or sentencing of a number of detainees who had been held in prolonged pre-trial detention for up to four years. In Port-au-Prince, which has the highest percentage of cases awaiting trial, the first criminal assizes since July 1998 began in early October but were suspended after two days because of problems of forming juries. Their postponement was particularly disturbing given the high number of detainees awaiting trial by jury in the capital.

32. In order to help address these problems, and following a prisoner audit, in August MICIVIH presented updated lists of detainees held in pre-trial detention since 1995 and 1996 in the National Penitentiary to the respective judges. Of the 175 detainees, 87 are awaiting trial by criminal assizes. A small number of other detainees, held for many months without trial were released in different parts of the country after the Mission urged authorities to review their cases. In Pétionville prison the average time spent in pre-trial

detention had increased from 291 days in November 1998 to 412 days by August 1999.

33. Seventy-nine detainees, some held since 1996 and 1997, were released on the orders of the Port-au-Prince State prosecutor, although the criteria for releasing them were not always clear. Some recent detainees facing serious charges were released, whereas others, on lesser charges, who had been held for prolonged periods of pre-trial detention, remained in prison. The earlier recourse to ad hoc mechanisms such as the Unit to Control Pre-trial Detention met with mixed results, primarily because of the lack of support from magistrates. The Unit resumed its activities in September when it started interviewing all detainees held without trial since 1995 in the National Penitentiary. At the request of the Justice Ministry, MICIVIH carried out a review of the Unit and made a number of recommendations, including the need to improve the legal skills of the assistants within the prison system. To this end, the Mission has assigned an observer to help upgrade the skills of legal assistants in the capital's prisons.

34. A group of some 20 detainees in the National Penitentiary began a hunger strike in late September, mostly to draw attention to the lack of judicial progress in their cases, some of them having been detained without trial since 1996. The group also included former members of the military arrested in July 1998 when protesting the non-payment of their pensions. MICIVIH could find no trace of their judicial dossiers in the courts and they were eventually released. The hunger strike ended by 31 October, but nine detainees resumed it a few days later. MICIVIH expressed concerns about the hunger strike to the authorities and issued a press release highlighting the judicial irregularities in these and many other cases.

35. On another front, laxness, venality and corruption within the system have been attacked through special commissions resulting in the dismissal of several officials. This approach has been bolstered by a sizeable increase in the low salaries of judicial officials. The increase, retroactive to May 1999, to be paid in September, will be as high as 300 per cent for persons at the bottom of the pay scale. Increasing salaries will not only enhance the status of a disdained profession, but also attract a higher caliber of professionals. It is also seen as part of an ambitious plan to make justice affordable and available to all. One of the measures envisaged to reduce, if not eliminate, the discriminatory aspects of the system, which have traditionally excluded the majority of the population, is a system of circuit judges. Preliminary discussions on proposals for a programme of legal aid took place between the Ministry of Justice and representatives of bar

associations from around the country. The latter have formed themselves into a federation and for the first time issued a photo-identity card to each member as a step towards eliminating impostors.

36. In order to improve the quality of justice rendered, the judicial inspectorate of the Ministry will be reinforced and given the means to assess the functioning of the system in all the jurisdictions. Once again priority is being given to training. A new director, formerly in charge of studies, has been appointed to the Magistrates School, re-instilling a lost dynamism. After a year-long hiatus, the second intake for the Magistrates School was recruited by competitive examination, with training to begin in November. The Mission gave logistical support and observed the exams in some centres. In addition to this 12-month training programme for a group of 40 trainee magistrates, the School will carry out refresher and specialized training courses for judges and judicial auxiliaries. In this regard, training in criminal investigation for examining magistrates and prosecutors, as well as the training of forensic doctors, will take place.

37. With regard to juvenile delinquents, the new Juvenile Court was to have been reopened in October after having been made more secure. MICIVIH helped prepare a draft agreement under which an institution for juveniles run by a priest and the Ministries of Justice and of Social Affairs would work together on literacy and trade training programmes for women and juveniles, to be held in Fort National prison in Port-au-Prince.

38. The Law and Justice Reform Preparatory Committee presented the summarized findings of its deliberations to the Minister of Justice in late July, signalling the end of the preparatory phase. A strategic plan and a short-term action programme have been drawn up. On the prescriptive side, the Committee recommended the establishment of two units, one to redraft the legal codes and another to centralize all information related to the judicial reform process in the Latin American and Caribbean region. The implementation of these tasks will require the establishment of a national judicial reform committee.

39. It is hoped that the recently adopted remedial measures, which appear to herald a new will to change a hidebound system, will have a desired immediate effect, while the long-term solutions that judicial reform will bring are awaited. The Mission is also encouraging the urgent implementation of the action plan presented by the former Minister of Justice to the international community in July 1998, which sets out proposals in the areas of access to justice, institutional development and international

cooperation. MICIVIH is of the view that the establishment of mixed teams of Haitian and international experts, as proposed by the Ministry in September, will facilitate the implementation of the action plan. These teams would be able to recommend a number of measures to bring about short and long-term changes through the drafting of ministerial circulars and laws to harmonize Haitian law and institutional practice with commitments made by the ratification of international human rights treaties.

D. Impunity and compensation

40. On 28 September, MICIVIH published its report on impunity and compensation, a draft of which had been submitted to the Government in May. Based on three years of research, the report analyses legal proceedings in five jurisdictions (Port-au-Prince, Hinche, Mirebalais, Saint-Marc and Gonaïves) related to the prosecution of human rights abuses that occurred during the *coup d'état* period, looks at initiatives by the Government, civil society organizations and the international community in response to the issue of impunity and compensation and concludes with a wide range of recommendations for addressing these issues.

41. The Ministry of Justice assigned additional resources to the judicial team working on the Raboteau massacre case. As a result, preparations for the trial accelerated. A partial reconstruction of events took place at the scene of the massacre in June. Following criticism, in particular from local victims' associations, the State prosecutor was eventually replaced. Two experts recruited by MICIVIH presented a report on military aspects of the case to the Ministry of Justice in August. A critical threshold has now been crossed, with the completion of the preliminary investigation and the finalization of the necessary briefs by the State prosecutor (*réquisitoire définitif*) and the examining magistrate, who referred the case for trial (*ordonnance de renvoi*), in September. Of those detained, 22 were formally committed for trial, while charges were dropped against eight others for lack of evidence. It is of great concern, however, to MICIVIH that, in spite of the fact that no appeal was lodged against the release orders by the prosecutor, the release orders have never been executed.

42. The Government also announced that, in accordance with the 1998 Judicial Reform Law, it would create a commission of judges to investigate serious human rights violations, in particular three massacres with strong symbolic value attributed to security forces in the past. As indicated above, such a commission has already been

appointed to look into the 11 alleged executions by police officers in May 1999. Several preliminary meetings also took place with the Minister of Justice and representatives of non-governmental organizations regarding the establishment of a national compensation committee as recommended by the National Truth and Justice Commission and by MICIVIH. After a prolonged campaign, victims from Cité Soleil, whose homes were burned by the *Front révolutionnaire pour l'avancement et le progrès d'Haïti* (FRAPH) in December 1993, won compensation from the Government to rebuild their homes.

43. MICIVIH has reiterated its support for the return, in their entirety, of the FRAPH/Armed Forces of Haiti (FAd'H) documents in the belief that they could be useful in the prosecution of human rights violations committed during the *coup d'état* period.

44. Haitian associations, including the Platform of Haitian Human Rights Organizations and the *Mouvement d'appui aux victimes de violence*, consolidated their activities in this field with the publication of reports and the holding of conferences, some of which were supported by MICIVIH. Preparations were under discussion for a national conference on impunity to be held in 2000.

E. Office of the Ombudsman

45. The Office of the Ombudsman (Office de la protection du citoyen) continues to suffer from poor funding and lack of State support. Nevertheless, it was able to expand its activities. It took on two new investigators and has opened a regional office in Gonaïves. The new investigators spent a week with MICIVIH observers to develop investigating and reporting techniques. The training included field trips and participating in inquiries. With MICIVIH's support, the Office drafted its first annual report which, *inter alia*, analysed the nature and number of complaints processed by the Office and recommended the ratification of a number of international human rights treaties. In July the Office gave a well-attended press conference to publicize its activities, which also included the publication of a booklet on the rule of law.

46. Two MICIVIH consultants continued to assist the work of the Office during this period, one of whom completed his contract in September. A third consultant spent two weeks in Haiti gathering information in order to obtain donor funding for the Office.

F. Human rights promotion and advocacy

47. MICIVIH's programme of human rights promotion and advocacy was severely disrupted by the downsizing of the Mission, as a consequence of which many of its training and seminar programmes were suspended. As the reduced Mission moved closer to the end of its mandate, its work has focused increasingly on developing and carrying out projects in partnership with government ministries, organizing training-of-trainer courses, reinforcing the capacity of local non-governmental organizations and working with a network of committees set up over the past two years to monitor prisons and police custody. Activities included a week's training in Port-au-Prince for representatives of these committees in July and joint visits and investigations. Membership of the Gonaïves committee more than doubled during this period.

48. Some 40 members of human rights organizations from throughout the country took part in a seminar from 8 to 13 November, organized by MICIVIH on behalf of the Office of the United Nations High Commissioner for Human Rights, which has a technical cooperation agreement with the Haitian Government. The seminar's aim was to reinforce the functional capacity of non-governmental organizations by deepening the participants' theoretical and practical knowledge of national and international human rights mechanisms, recourses and themes. Speakers included some 30 national and international human rights experts. One of the high points of the week was a public round-table discussion on the theme "Economic, social and cultural rights and the rights of Haitians". This seminar constituted the first of a three-part project funded by the Office of the High Commissioner.

49. Other training activities included the three-month project of training-of-trainers seminars organized around the country in conjunction with the *Secrétairerie à l'Alphabétisation*, which ended in June. A nationwide programme organized by the Ministry of Education to develop and incorporate civic education at all levels of the school curriculum was another important development. The programme was launched in September with a two-day conference and has been supported by the provision of documents and other materials by MICIVIH.

50. Public information on the human rights situation and on mission activities was disseminated through reports and press releases, which, for the most part, received wide coverage, including regular interviews with the media. Five hundred people visited a MICIVIH stand at the *Festival du*

Nord in Cap-Haïtien on 13 August, which stimulated much interest in the Mission's work and publications.

51. One of the Mission's major projects was the completion of a video documentary, entitled *A Work in Progress: Human Rights in Haiti*, the Creole version of which was launched around the country on 30 September. It focused on the long struggle for human rights and dignity in Haiti, on institutional reform and the activities of MICIVIH that contribute to these reforms. Several hundred people, including government, police and judicial officials, attended the opening in Port-au-Prince.

IV. Observations, conclusions and recommendations

52. MICIVIH has been deployed in Haiti since February 1993. Its mandated responsibilities, composition and *modus operandi* of the joint mission have evolved since then in accordance with the changing realities of the situation on the ground. A series of factors (evacuation, expulsion, an improved human rights situation and financial constraints) have led to fluctuations in the size of the Mission. In October 1993, during the *coup d'état* period, the Mission reached a peak of 200 staff. The Mission was reduced in early 1994 to 80 staff, but increased to 180 during the initial period of return to constitutional order. It was again reduced to 60 in 1996 and subsequently increased slightly to 80. It will be recalled that I informed the General Assembly, in my letter of 6 August 1999 (A/54/211) that the Secretary General of the Organization of American States (OAS) had written to me on 4 June 1999 informing me that, owing to recent financial constraints experienced by the Organization, an imminent reduction of the OAS component of MICIVIH would be necessary. As of 1 July 1999, OAS has withdrawn 34 members of its personnel with the exception of one, the Executive Director, who has been jointly appointed by the Secretary General of OAS and myself, leaving the current staff level at 40. Five of MICIVIH's regional offices have been closed since that date.

53. Initially mandated to observe a situation characterized by widespread and systematic human rights abuses during the latter part of the *coup d'état* period (February 1993 to September 1994), MICIVIH's responsibilities were broadened at the return to constitutional order to include support for the processes of governance and democracy. In view of the importance of civil society in the protection of human rights and the deepening of democracy, the Mission also focused on local capacity-building.

54. The three major strands of the Mission's mandate (observation, institution-building and human rights promotion) have always been approached in an integrated manner. Monitoring has been regarded as pivotal in that it helps identify institutional problems and needs, which can in turn be addressed through training, technical cooperation and promotion. Monitoring and verification also provide feedback on the impact of these remedial activities.
55. Adopting an approach it called "active observation", the Mission staff has documented and investigated human rights abuses, as well as regularly visiting prisons, police custody cells and attending court sessions. It also made representation on behalf of victims and publicly denounced violations, as well as disquieting trends in the human rights situation. Additionally, during the earlier part of the Mission, it instituted legal and medical programmes for victims. It has also facilitated the establishment and subsequent reinforcement of victims' associations.
56. Institution-building and training have helped offset the irritation that constant monitoring can elicit from State officials and agents under close scrutiny. Since the return to constitutional order, there has been a shift in the attitude of the authorities from the adversarial stance of the *coup d'état* regime to the present collaborative environment. As a result, the Mission has tended to favour persuasion and other less public approaches, using public denunciation of human rights abuses and violations of due process as a measure of last recourse. This strategy stems from respect for the sovereignty of the State and from the recognition that the authorities have taken steps towards holding members of the security forces accountable for their actions.
57. Providing expert advice to help improve the quality of justice rendered, supporting judicial reform, helping to revamp the inhumane prison system, improving the human rights conduct of the new police force and facilitating the emergence of new state and civic institutions are essential elements of the Mission's activities in the area of institution-building. This has been done through diagnosis and recommendations, training, furnishing technical assistance (sometimes through short-term consultancies in specialized areas where the Mission lacks expertise), mentoring and encouraging conceptualization and public debate on key issues such as habeas corpus and impunity. Varying levels of institutional readiness, fluctuating political will and the complexity of the tasks at hand have impinged on the reform process and led to uneven results.
58. Human rights promotion and advocacy, along with civic education, are seen as a means of strengthening the capacity of State institutions and civil society organizations.
- But they are also instruments of change that contribute to the strengthening of a democratic culture by raising public and institutional awareness of the importance of rights and obligations in a burgeoning democratic State and by broadening knowledge of the nature and functions of democratic institutions. The Mission has produced didactic materials adapted to local realities and used teaching seminars and workshops directed by Haitian trainers, as well as a wide variety of media (video projections, radio and television programmes and spots) and cultural forms (exhibitions, art, dance, theatre, puppet shows) to disseminate these messages.
59. Acutely aware of its ad hoc and temporary nature, the Mission has been pursuing a three-pronged exit strategy: strengthening the state institutions responsible for ensuring respect for human rights, reinforcing the capacity of civil society organizations and the media in the area of human rights monitoring and investigation and developing a body of documents, studies and data on key institutions and human rights issues which have been made public.
60. Since the return to constitutional order, there has been a qualitative change in the human rights situation as concerns the enjoyment of fundamental freedoms and the behaviour of the security forces. Accountability has become a vital aspect of the new institutional ethos of the police. Systematic politically motivated human rights violations have ceased to be a recourse in the repressive arsenal of the State. This notwithstanding, there is still considerable room for improvement as concerns the human rights conduct of the police, in particular with regard to respect for life and physical integrity.
61. The Haitian National Police does not yet enjoy institutional maturity and self-confidence, nor is it well equipped in techniques and resources, human and material, to deal efficiently with the challenges of persistent crime and insecurity. Continued support for its institutional consolidation and for the professionalization of its members is therefore critical.
62. The increasing recourse to political intimidation and acts of violence is a disquieting return to methods one would have hoped had ended. It also marks a further deterioration of the political climate and an erosion of the nascent democratic process. All leaders with political and moral influence must combine their efforts to reverse this trend.
63. Haiti finds itself at a critical juncture, with the electoral process about to be launched at a time when the political and security climate is far from conducive to it. This is a direct consequence of over two years of a protracted and multi-faceted crisis that has exacerbated all the fault lines

in a society that continues to be deeply divided politically and socially.

64. The crisis and the accompanying political instability, government paralysis and widespread disillusionment have shaped the public perception that little has improved since the return to constitutional order. The elections for Parliament, municipalities and local government councils and assemblies are a necessary prerequisite for a return to constitutional normality. Elections, however, may not result in political normality if the underlying critical issues are not addressed, in particular the lack of a broad consensus on social and economic development policies and on the exercise of political power.

65. The persistent professional and ethical shortcomings of a yet to be reformed judicial system continue to be a source of endemic due process violations. They also constitute an increasingly serious obstacle to performance of the police in the area of law and order. Despite very real improvements in the penal system and the conditions of detention, formidable obstacles remain. New State institutions such as the Office of the Ombudsman remain embryonic and require the support of the State with regard to their unmet resource needs as well as the technical assistance of the international community for their institutional development.

66. In the domain of civil society, the well-established human rights organizations have the institutional depth and access to resources which ensure sustainability. The same cannot be said about groups which have emerged more recently, some with the support of the Mission.

67. The International Civilian Mission in Haiti has helped put in place some of the essential building blocks of the rule of law through its institutional development activities, human rights advocacy and capacity-building work. However, Haiti is still in the early stages of transition towards a full-fledged democracy, challenged and confronted as it is by all the structural and political obstacles that beset countries undergoing such changes. The process of reform and consolidation is far from complete and will require further concerted efforts to achieve significant progress. It is quite clear that there are still a number of areas in which the United Nations can continue to provide technical and other support in response to the request of the Haitian authorities for assistance in the strengthening of institutions and civil society.

68. As called for in paragraph 11 of Security Council resolution 1212 (1998) of 25 November 1998 and in paragraph 5 of General Assembly resolution 53/95 of 8 December 1998, I have given indications in my previous reports to the General Assembly (A/53/950) and to the Security Council (S/1999/908 and S/1999/1184) of the ways

in which the international community could continue to assist Haiti. Since then, consultations have taken place with the Haitian authorities both in Port-au-Prince and at Headquarters. I also dispatched a United Nations needs assessment mission, which visited Haiti from 11 to 15 October, to make recommendations for a possible successor mission following the end of the mandates of MIPONUH and MICIVIH. The mission consulted closely with the Haitian authorities and the international community in Haiti. I forwarded the report of the needs assessment mission (A/54/629) to the President of the General Assembly on 22 November 1999, with the request to bring it to the attention of, and for the consideration by, the members of the General Assembly.

69. Therefore, the General Assembly may wish to consider the establishment of a new mission to consolidate the gains achieved by the Haitians with the support from MICIVIH and MIPONUH, as requested, on 8 November 1999, by the President of Haiti, René Préval (see S/1999/1184). The new mission, headed by my representative, would pursue the activities of its predecessors in the areas of institutional consolidation of the police, judicial reform, capacity-building and human rights verification and advocacy. In addition to supervising the activities of the mission overall, my representative would also be responsible for coordinating political relations with the Government of Haiti as well as assisting in coordinating the support of bilateral donors. As in the past, the United Nations resident coordinator would continue as the deputy to my representative, and would help coordinate the activities of the United Nations system in Haiti.

70. The new mission should pursue a coordinated and integrated approach to enhance the effectiveness of governance, improve the climate of respect for human rights and reinforce the institutional effectiveness of the police and the judiciary. The mission's activities, limited in time and scope, would be complementary to other multilateral and bilateral programmes devised within the framework of Economic and Social Council resolution 1999/11 of 27 July 1999, which calls for the formulation of a long-term programme of development for Haiti. In this way the international community would continue to support the efforts of the Haitian Government and of the people of Haiti in their difficult quest to construct a democratic society.

71. In conclusion, I would like to commend the Executive Director, Colin Granderson, and the staff of MICIVIH for the outstanding commitment with which they have carried out the Mission's mandate over a long period of time. I also wish to thank OAS for its excellent cooperation with the United Nations since the inception of the Mission.



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**The situation in Afghanistan and its implications
for international peace and security**

**Letter dated 23 November 1999 from the Secretary-General
addressed to the President of the General Assembly**

I have the honour to transmit to you herewith a summary of the report of the United Nations Investigation Team for Afghanistan, submitted by the Office of the United Nations High Commissioner for Human Rights (see annex).

I should be grateful if you would bring the present letter and its annex to the attention of all Member States.

(Signed) Kofi A. Annan



Annex

Summary of the report of the United Nations investigation team for Afghanistan, submitted by the Office of the United Nations High Commissioner for Human Rights

I. Introduction

1. The report of the United Nations investigation team for Afghanistan was prepared pursuant to General Assembly resolution 52/211 B of 19 December 1997, the statement by the President of the Security Council of 16 December 1997 (S/PRST/1997/55) and Security Council resolution 1193 (1998) of 28 August 1998.

II. Issues involved

2. The report summarizes the results of an investigation into allegations of serious violations of international human rights or humanitarian law, including allegations of reported mass killings of prisoners of war and civilians, incidents of rape in northern Afghanistan in 1997, and reports of atrocities alleged to have taken place in Mazar-e-Sharif and Bamiyan in August 1998 in the wake of the Taliban conquests of those cities.

III. Previous efforts to investigate

3. In May 1998, the United Nations High Commissioner for Human Rights sent a team to Afghanistan to determine the feasibility of carrying out an investigation. The team recommended two main areas in which investigations should be conducted, namely in the east of the country (Mazar-e-Sharif) and in the west (Qaisar).

4. During a mission he undertook in December 1997, the Special Rapporteur on the situation of human rights in Afghanistan visited a number of burial sites in the vicinity of Shiberghan, including an area in which people were alleged to have been thrown into nine water wells. The forensic expert who accompanied the Special Rapporteur subsequently excavated 10 bodies from a grave located 3 kilometres west of Shiberghan. According to the forensic expert, these individuals were all young men whom he concluded were battle casualties. There was no evidence that they were prisoners who had been deliberately executed. On 11

December 1997, the Special Rapporteur and his team also visited a stretch of highway between Mazar-e-Sharif and Hairatan, where numerous bodies could be observed at several sites. At one location, the team saw bodies that had been tied up either individually or several at a time. There were many bullet cartridges and the bodies were largely covered with sand, lying in a row on either side of a ridge. The accompanying forensic expert concluded that, of the three areas he visited, two areas contained evidence that might support allegations of human rights abuses. In addition, the Special Rapporteur visited the villages of Qezelabad, Dehdadi and Sheikhabad, all of which are near Mazar-e-Sharif, where massacres allegedly took place in September 1997.

IV. Appointment of the investigation team and methods of operation

5. On 30 April 1999, when security conditions finally permitted, the High Commissioner for Human Rights appointed the United Nations investigation team for Afghanistan. The mandate of the team was to investigate independently allegations of mass killings committed in northern and central Afghanistan during the period from 1 January 1997 to 31 December 1998, with a view to establishing the facts of the alleged violations and the responsibility of the alleged perpetrators. The team employed the following methods of investigation:

(a) Collection and analysis of information received by the team;

(b) Conduct of interviews with individuals, whether they were survivor witnesses or witnesses who provided information on other relevant facts;

(c) Undertaking of field missions to appropriate locations in Afghanistan and other countries in order to obtain additional information, take testimony and, as far as possible, verify facts;

(d) Information-gathering on behalf of the team by certain Governments or governmental agencies in various countries.

6. In response to the request of the team for assistance addressed to United Nations bodies, research institutions, non-governmental organizations, experts, media and individuals, a considerable amount of reference material was received relating to the events or containing information about the situation in northern and central Afghanistan in general.

7. A number of investigative missions were undertaken to countries that had received refugees or in which individuals had stayed or had taken up residence. Several missions with the same aim were carried out in Afghanistan. The team was deployed close to the area of operations on 6 July 1999 and began to be phased out on 18 August 1999. A reduced team, with the expectation of additional substantial information-gathering and hearings with witnesses, continued to investigate the situation up to the end of September 1999. The team had a number of contacts with embassy and foreign ministry officials. It sought their assistance in providing relevant information for the purpose of the investigation.

V. Attitudes of the parties

8. Both the Taliban movement and the United Front (formerly known as the Northern Alliance) have denied all of the allegations directed against them.

9. One of the determining factors was the extent of cooperation to be granted by the parties to the conflict. The expected cooperation included security guarantees for the team, the guarantee of free access to all locations and all sources of information, the protection of massacre and common grave sites, guarantees with respect to witnesses interviewed by the team and the facilitation of entries and departures of the team. The terms of reference were given to the parties involved in the conflict at an early stage of the investigation. Of crucial importance for the investigation was the attitude of the Taliban because it had de facto control over the area in which the relevant events took place. With regard to the terms of reference, the response was positive, both from the Taliban and the United Front. In addition, the team requested from the parties an official version, that is, a description of the course of events. Despite promises and multiple interventions, the

Taliban authorities did not produce the document. The United Front authorities, addressed through the embassy at Dushanbe, never reacted, despite reminders. A number of faction leaders gave partial information in the context of specific events and offered a number of witnesses. No comprehensive description was given, however, and no evidence in support of the facts was offered.

10. The Taliban authorities at Mazar-e-Sharif granted access to some sites freely and without obstacle. It was different when the team requested access to other sites. The details are given below.

11. The use of forensic experts was envisaged by the team. When, however, it became apparent that known massacre sites had been cleared by the Taliban authorities, it was clear that practically no physical evidence remained that needed immediate examination to safeguard evidence that would otherwise be lost.

VI. Locus I: alleged mass killings of Taliban prisoners

12. In early 1997, two high-ranking representatives of the Taliban and four political and military leaders of Jumbesh-i-Melli (National Islamic Movement), signed a protocol in which the signatories agreed on a joint operation against their enemies. In the ensuing combat, numerous allegations were made of looting and rape by Taliban forces and of the mass killing of Taliban soldiers who had been taken prisoner. The team was not provided with evidence of the alleged looting and rape by Taliban forces. A high-ranking Taliban official claimed that 4,050 fighters had been captured, detained in several prisons and subsequently killed. He mentioned in this context Mazar-e-Sharif (1,350), Shiberghan (1,600) and Maimana (1,100). Another source said that, of the more than 900 detained Taliban members in Mazar-e-Sharif, some 800 had been transported in container trucks to Dasht-e-Leili and the Hairatan desert and killed.

13. The team made considerable efforts to obtain detailed information about the alleged killings. Among others, various Taliban authorities were requested to provide the team with evidence and complementary information. In addition, the team officially requested interviews with a number of key persons. Despite assurances from their officials, the Taliban authorities failed to open their files as promised and to present the

survivor witnesses and other witnesses whom the team had specifically asked to interview. On 17 June 1999, the Chief of Mission was told by a senior Taliban Official that the authorities had removed the remains of the victims of the alleged killings from the various sites in northern Afghanistan and had transported them for reburial to a graveyard near Kandahar. The team visited the graveyard where an estimated 2,000 bodies are buried. It was reported that an unknown number of bodies had been handed over to the families. Despite requests, no official documentation was provided to show from where the bodies had been taken or the condition in which they had been found, and no description was given of the circumstances under which the victims had died. By means of numerous interviews, the team sought evidence with a view to obtaining the facts. A number of witnesses could not be interviewed owing to the ongoing fighting that erupted in July.

14. Indications from the preliminary investigation and information received from other sources led the team to visit a number of sites at which Taliban prisoners had allegedly been executed.

15. On 5 August 1999, the team visited five sites in the area near the highway leading from Mazar-e-Sharif to Hairatan. All of the sites are situated in a desert, exposed to winds that steadily change the sandy surface. There is hardly any vegetation. No conclusion could be drawn from these sites. The team visited the site of the nine wells, located less than 50 kilometres west-south-west of Shiberghan. There were nine separate wells located in an area 120 metres square. When the team visited the site on 7 August, the wells were open at the top and some of them were slightly covered with water at bottom. No human remains could be seen.

16. In the aftermath of the Taliban defeat in the north of Afghanistan in May 1997, the International Committee of the Red Cross (ICRC), despite numerous interventions, did not have access to any prisons or places of detention in the north of Afghanistan. Consequently, no registration of the persons detained could take place and the conditions of detention could not be assessed.

VII. Locus II: alleged killings by the Taliban in the area of Mazar-e-Sharif

17. In September 1997, the Taliban started a new offensive from their positions at Kunduz. They advanced to the Mazar-e-Sharif airport. Simultaneously, allied Pashtu forces took up positions to the west of Mazar-e-Sharif. The United Front, assisted by General Rashid Dostum, was able to push the Taliban back within a matter of days.

18. The team received a number of allegations brought against the Taliban forces, including the killing of unarmed civilians in places such as Dawlatabad, Dehdadi, Sheikhabad and Qezelabad. There was, however, no substantiated evidence concerning the first three places mentioned. According to one source, 42 civilians had allegedly been killed at Qezelabad.

19. During the broad-based information-gathering by the investigation team, no additional information could be obtained. The identification of witnesses and witness interviews could not be carried out in the area concerned because tension during the team's stay at Mazar-e-Sharif was high as hostilities broke out north of Kabul and other places as near as Samangan province. The team did not consider it appropriate to put witnesses at risk. Two interviews with witnesses were conducted outside Afghanistan. In addition, a videotape was received, taken one day after the Taliban retreat.

20. According to one witness, many dead bodies lay on the road in the village of Qezelabad. No detailed account however, could be obtained of the course of events or about the perpetrators. A second witness said that 42 persons had been killed in Qezelabad but could not give any details since he was not present and hence could provide only hearsay evidence.

21. Qezelabad is a small village near the airport of Mazar-e-Sharif. The team, well in advance of its visit, notified the authorities of the village, which was among 20 other places in and around Mazar-e-Sharif where killings by the Taliban had allegedly taken place. During the stay of the team at Mazar-e-Sharif, the local authorities objected to the visits being carried out. On 8 August 1999, the team intended to go to Qezelabad to do investigative work. On that very morning, the team was denied a visit by the Head of the Office of the Foreign Ministry at Mazar-e-Sharif, who claimed that

no killings had taken place at that location and that the team was not entitled to carry out a local residential investigation. Representations on the spot proved to be futile and the team was only allowed to see four sites at Mazar-e-Sharif. Permission to visit Qezelabad was received the following day, but only after an intervention had been made to the Ministry of Foreign Affairs. The visit was subsequently made on 10 August when the team was able to photograph the site but was not able to identify massacre or mass grave sites. Since the team was accompanied by a Taliban escort, no personal contacts were made.

22. No official document is available that describes the course of events. The team was not provided with an official version of the events, as requested through the various official and unofficial channels. On 20 September 1999, the team received a videotape. The videotape was made by an identified individual but clear identification of the material and the proper handling procedure, including interviewing of the person and analysis of the material, has not yet taken place.

23. So far, no eyewitness have been interviewed. There were serious obstacles to a proper crime-scene investigation. Since only circumstantial evidence was presented, the investigation had to be terminated. It cannot be expected that the Taliban authorities will investigate the case further since the potential perpetrators are on the Taliban side.

VIII. Locus III: alleged human rights violations in the area of Qaisar

24. Between 15 and 30 December 1997, the Taliban moved its front line from Dubai to Kezel Kota, about 19 kilometres east of Qaisar. During this period, the Taliban captured and held, among others, the villages of Hazara-Qala, Qaisar and Kezel Kota. A considerable force was involved, including ground troops and the airforce. It was reported that about 2,500 Taliban fighters, supported by 1,500 local Pashtu, had attacked Qaisar. By the end of the month, the Taliban force had been driven back by troops under the command of General Abdul Rashid Dostum. The exact number of casualties is unknown, as is the number of prisoners taken.

25. Allegations were made that 600 to 1,000 unarmed villagers had been killed. It was reported that after the

capture of the villages, the Taliban had assembled the villagers, asking them to convince those who had fled to return. Subsequently, the villagers and the returnees were reported to have been killed at Qaisar and the surrounding villages. Reports also mention aerial bombardments of Qaisar and Maimana, which caused an unknown number of casualties among the civilian population.

26. The investigation team did not succeed in identifying any witnesses. For the time being, it is impossible to search for witnesses in an area under the control of the Taliban, specifically since no witness protection programmes are in place. In addition, a thorough investigation would require substantial means in terms of personnel and material. Any in-depth investigation would have to clearly distinguish between battle casualties and civilians killed *hors de combat*.

27. After the counter-attack of the joint forces of the United Front in September 1998, residents of Mazar-e-Sharif lived through a period of considerable insecurity. The Taliban forces attacked again and advanced to the Balkh provinces, where they prepared for the final attack on Mazar-e-Sharif. General Dostum was ousted for a second time, and Hezb-e-Wahdat remained as the main credible force to defend Mazar-e-Sharif. It was assisted by the Jamiat and Harakat forces and what remained of Jumbesh-i-Melli. The Taliban, reinforced by local Pashtu, took over the strategic points of the city and the main roads. They patrolled the city and mounted checkpoints. There are numerous reports of random killings. Reportedly, orders were given by key Taliban commanders to crack down on ethnic minorities, such as the Hazara, Uzbeks, Tajiks or Arabs. House-to-house searches were well planned, persons and locations were searched thoroughly, and mainly men of the minority groups were arrested or shot on the spot and their bodies put out on the streets as a deterrent. These operations continued for several days. An unknown number of people fled and there are reports that those fleeing came under attack by the Taliban air force.

28. The events at Mazar-e-Sharif in August 1998 were widely reported by the international media. The Special Rapporteur issued an interim report, estimating that approximately 3,000 Hazara had been summarily executed in their homes or on the streets during the first six days after the takeover of Mazar-e-Sharif by the Taliban.

29. The team concentrated its efforts on establishing the facts concerning the killing of civilians and the killing of persons detained in the context of the conflict. It had at its disposal numerous accounts by persons who had fled and taken refuge outside Afghanistan. In addition, the team tried to identify such refugees in several countries where they had applied for asylum. The team was able to interview a number of individuals in several countries. The team made considerable efforts to gain access to witnesses to the events and to suspects in Afghanistan and elsewhere. The team undertook to obtain an official version of the events from the various parties involved. Among others, the team addressed requests to experts and sought clarifications concerning a number of media reports about the events.

30. A number of credible witness statements were obtained describing searches of persons and the locations in which they had taken place, the killing of unarmed male inhabitants, the fact that their bodies were then dragged out onto the street and the fact that a number of men had been arrested and taken away. In this context, it became apparent that witnesses, because of the prevailing situation, could not describe the entire sequence of events since they were mainly confined to their own locations. There was a general tendency to repeat second-hand information (so-called hearsay enriched by imagination and by traumatic experience). The team is not in a position to give a representative factual description of the instances of the killing of civilians. Those who had carried out the house-to-house searches were generally described as members of the Taliban, recognizable either by their appearance and dress or by their language.

31. There are numerous accounts of persons arrested during the events. At that time, ICRC did not have access to prisoners. A few days after the takeover of Mazar-e-Sharif by the Taliban, the authorities started to transfer prisoners to other places of detention. According to witnesses, prisoners transported in container trucks and trucks covered with sheeting were brought to Shiberghan jail. Upon arrival, the witnesses saw that persons transported in the container trucks had suffocated and reported that almost all of them were dead. In addition, witnesses suffered torture and other ill-treatment.

32. No comprehensive description of the events, as had been requested of various officials, was given to the team.

IX. Locus IV: alleged atrocities in Bamyān

33. After the capture of Mazar-e-Sharif, the Taliban forces advanced through Samangan and Baghlan province and headed towards Bamyān. The team was told that, while no major incident of killings of civilians at Bamyān had been reported, such incidents had occurred in the surrounding area. According to one source, Taliban fighters had opened fire on civilians, causing the deaths of 54 persons. The force was reported to have left the place after looting it. Another source alleged that the number of people killed in nearby villages between 15 and 17 September 1998 was as many as 240. No description of the circumstances was, however, given.

34. During the investigation, it was established that Hezb-e-Wahdat had held more than 100 captured Taliban fighters in detention. According to the leader of Hezb-e-Wahdat, these prisoners were regularly visited by ICRC. Several witnesses claimed that between 40 and 50 prisoners had been killed shortly before the Taliban captured Bamyān. A number of suspects were named and allegations were made against the leadership of Hezb-e-Wahdat. The exact course of events could not be established.

X. Conclusion

35. From the foregoing, it will be seen that:

- (a) Little information was forthcoming from the parties;
- (b) Information provided by others and by persons interviewed was patchy;
- (c) The evidence seen at the sites visited was inconclusive;
- (d) Access was denied to some sites;
- (e) Allegations against both parties have been made at different times;
- (f) Neither party extended meaningful cooperation;

(g) Clearly, killings of civilians had taken place and there had been serious violations of international humanitarian law and human rights. For the reasons indicated above, however, the investigation team was unable to reach definitive conclusions.



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Letter dated 19 November 1999 from the Chargé d'affaires a.i.
of the Permanent Mission of Turkey to the United Nations
addressed to the Secretary-General

I have the honour to transmit herewith a letter dated 19 November 1999, addressed to you by His Excellency Mr. Aytuğ Plümer, Representative of the Turkish Republic of Northern Cyprus (see annex).

I should be grateful if the text of the present letter and its annex could be circulated as a document of the General Assembly, under agenda items 63 and 116, and of the Security Council.

(Signed) Şafak GÖKTÜRK
Deputy Permanent Representative
Chargé d'affaires a.i.

Annex

Letter dated 19 November 1999 from Mr. Aytuç Plümer
addressed to the Secretary-General

Upon instructions from my Government, I have the honour to refer to the letter dated 2 November 1999, addressed to you by the Greek Cypriot representative at the United Nations (A/54/523-S/1999/1121), and its annex which contain allegations regarding Greek Cypriots residing in the Turkish Republic of Northern Cyprus.

The Greek Cypriot representative has made false and misleading complaints about the living conditions of Greek Cypriots in Northern Cyprus.

The living standards of Greek Cypriots as well as Maronites are on a par with those of Turkish Cypriots in the area. Every effort is being made by our authorities to ensure the continued well-being of Greek Cypriots and Maronites in full cooperation with the United Nations authorities in Cyprus. This close cooperation is appreciated by the United Nations authorities and is also mentioned in the reports of the Secretary-General on Cyprus. In recent years, all necessary measures have been taken to provide Maronites and Greek Cypriots living in Northern Cyprus with better services in all areas. This has been confirmed by the two most recent reports of the Secretary-General on the United Nations Operation in Cyprus (see S/1998/1149 dated 7 December 1998, para. 16, and S/1999/657 dated 8 June 1999, para. 9).

In spite of the above-mentioned factual situation in Northern Cyprus, the Greek Cypriot representative has tried to paint a completely different picture with respect to Greek Cypriots and Maronites in Northern Cyprus. In view of the gross distortion of facts, I wish to set the record straight on this matter.

All Greek Cypriots and Maronites living in the Turkish Republic of Northern Cyprus are accorded the same rights and facilities as those accorded to other residents without any discrimination. For instance, the Turkish Republic of Northern Cyprus provides free elementary and secondary education to all its citizens. Greek Cypriot and Maronite children resident in Northern Cyprus are free to attend these schools if they wish to do so. Greek Cypriots in the Karpas area also have their own elementary schools where children are taught by Greek Cypriot teachers with books supplied by the Greek Cypriot side.

With respect to health facilities, currently two health centres in the Karpas region and two health centres in the Koruçam (Kormakiti) region provide free medical services to all residents including Greek Cypriots and Maronites. If and when necessary, patients may be transferred to the main regional State hospitals providing wider facilities. Greek Cypriots and Maronites can, upon request, be transferred to the South or may travel abroad for treatment.

With respect to practice of religion, there is complete freedom of worship in the Turkish Republic of Northern Cyprus which is a secular State. Greek Cypriots and Maronites living in Northern Cyprus can visit Apostolos Andreas Monastery and other religious shrines freely throughout the year. Greek

Cypriots living in Southern Cyprus can visit the Monastery three times each year on religious holidays. It is expected that some 800 Greek Cypriots will visit the Monastery on 30 November 1999.

In addition to the above, Greek Cypriots and Maronites benefit from the same communication facilities available to Turkish Cypriots, and have access to all press, television and other mass media without any restrictions. Greek Cypriots and Maronites living in Northern Cyprus are free to visit all areas open to the public without any restrictions.

The above-mentioned prevailing normal situation in Northern Cyprus, however, is in sharp contrast with the dire living conditions of the Turkish Cypriots currently residing in the South. Over the years, illegal detention, torture and forcible expulsion of Turkish Cypriots residing in South Cyprus has become an administrative practice of the Greek Cypriot regime. Turkish Cypriots have been subjected to severe harassment and discrimination. The Greek Cypriot police restricts the freedom of movement of Turkish Cypriots in the South for surveillance purposes.

During April 1994, 22 Turkish Cypriots including women and children were subjected to beating and other forms of coercion at various police stations in the South and were forcibly expelled across the United Nations buffer zone. One of the expelled persons, Tufansoy, returned to the South but was later brutally murdered along with another Turkish Cypriot, Ertuğrul Akburç, in South Cyprus. Can Necip Hakyemez, also a Turkish Cypriot, was gunned down in August 1997. Erkan Eğmez, a Turkish Cypriot resident of Akincilar village, was abducted in October 1995 by the Greek Cypriot police while working in his fields located in the United Nations-controlled buffer zone. Eğmez was subsequently tortured. A medical examination of the victim confirmed that there were severe scars, bruises and swelling on his body resulting from clubbing and beating. After a two-month ordeal, Eğmez was released and returned to the Turkish Republic of Northern Cyprus.

Regrettably, the plight of the Turkish Cypriots living in the South continues unabated to this day. The Turkish Cypriot side would like to seize this opportunity to express the hope that all necessary steps will be taken to bring an end to the unacceptable living conditions of Turkish Cypriots living in the South, and to ensure personal security of life to all concerned.

I should be grateful if you would have the present letter circulated as a document of the General Assembly, under agenda items 63 and 116, and of the Security Council.

(Signed) Aytuğ PLÜMER
Representative
Turkish Republic of Northern Cyprus
